

National Hispanic Leadership Agenda

March 14, 2018

U.S. House of Representatives
Washington, DC 20515

Re: NHLA Opposition to H.R. 4760, Securing America's Future Act

Dear Representative:

We write on behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of the leading national Latino nonpartisan civil rights and advocacy organizations, to express our strong opposition to H.R. 4760, Securing America's Future Act. This legislation does not represent the values and needs of the Latino community, and should be rejected outright as a dog-whistle aimed at torpedoing an achievable and necessary legislative goal to provide relief for what is a small portion of the undocumented population. **NHLA will closely monitor this matter for inclusion in future NHLA scorecards evaluating Member support for the Latino community, including any votes on the measure.**

President Trump's decision to rescind the Deferred Action for Childhood Arrivals (DACA) program upended the lives of nearly 800,000 DACA holders and many more DACA-eligible young people. While current litigation may allow some individuals to continue to seek administrative relief amid Congress's inaction, the fact remains that legislative action is necessary in order to repair the damage done by the unwarranted decision to rescind DACA. The enactment of a pathway to citizenship for Dreamers is a critical issue for the Latino community given that 93.5 percent of DACA holders are Latino.

To date, Congress has failed to advance a bill in either chamber for Dreamers, and instead the current debate on immigration has provided a platform for the most anti-immigrant and anti-Latino proposals to be introduced with the false air of sound policy. But the Latino community and the American public will not be fooled. H.R. 4760 would restrict the ability of U.S. citizens to reunite with parents, siblings, or adult children, fundamentally shifting our immigration system in profound ways. The very provisions that H.R. 4760 seeks to restrict are those that have been used by generations to reunite families from Western European countries. Latinos and other immigrants of color have long been at a steep disadvantage under our immigration laws when seeking to reunite with our families, but this type of proposal goes far beyond the imbalances that currently exist to cut off a flawed-but critical avenue of family reunification available to immigrants of color.

H.R. 4760 also contains a number of extreme proposals that present serious concerns for Latinos. The bill would make employment eligibility and identification verification through E-Verify mandatory for all employers, a measure NHLA strongly opposes. It would require jurisdictions to comply with Immigration and Customs Enforcement detainer requests, despite the constitutional concerns that exist with their use. It would compel local involvement in immigration enforcement by stripping law enforcement funding from jurisdictions that do not comply with expanded 8 U.S.C. §1373 requirements, and it seeks to greatly expand the use of 287(g) agreements without proper oversight.

Other incredibly problematic provisions, of which there are many, include: the ability to deny admission or deport any noncitizen if an immigration official has "reason to believe" he or she is a gang member, without due process protections; expanded criminalization of immigrants by enlarging the definition of aggravated felony, including retroactively adding any illegal entry/reentry with a sentence of a year; the prohibition on any government funding for legal counsel in any removal proceeding, even for children or other vulnerable populations; a

MEMBER ORGANIZATIONS

Alianza Americas
American G.I. Forum
ASPIRA Association
Avance Inc.
Casa de Esperanza: National Latin@ Network
Congressional Hispanic Caucus Institute
Farmworker Justice
Green Latinos
Hispanic Association of Colleges & Universities
Hispanic Federation
Hispanic National Bar Association
Inter-University Program for Latino Research
Labor Council for Latin American Advancement
LatinoJustice PRLDEF
League of United Latin American Citizens
MANA, A National Latina Organization
Mexican American Legal Defense and Educational Fund
Mi Familia Vota
National Association of Latino Arts and Cultures
National Association of Hispanic Federal Executives
National Association of Hispanic Publications
National Day Laborer Organizing Network
NALEO Educational Fund
National Association of Latino Independent Producers
National Conference of Puerto Rican Women, Inc.
National Hispanic Caucus of State Legislators
National Hispanic Council on Aging
National Hispanic Environmental Council
National Hispanic Foundation for the Arts
National Hispanic Media Coalition
National Hispanic Medical Association
National Institute for Latino Policy
National Latina/o Psychological Association
National Latina Institute for Reproductive Health
Presente.org
SER Jobs for Progress National
Southwest Voter Registration Education Project
UnidosUS
United States Hispanic Chamber of Commerce
United States Hispanic Leadership Institute
United States-Mexico Chamber of Commerce
U.S.- Mexico Foundation
Voto Latino

heightened standard for initial credible fear interviews; the ability of the secretary to designate unilaterally a country as a “safe third country”; rolling back protections for unaccompanied or other vulnerable children; construction of a wasteful border wall; increased Customs and Border Patrol agents; waiver of the polygraph test for certain CBP applicants; and wasteful spending at the border.

Meanwhile, the bill only provides a renewable three-year nonimmigrant status to DACA holders, with no opportunity to regularize status or obtain citizenship. Relief would only be available to those individuals that have DACA on the date of enactment, and leaves out hundreds of thousands of individuals whose status lapsed or who were not able to apply for the program. Given the delays in processing times for many DACA applicants and renewals, this is not an insignificant concern. But more important, this legislation seeks to impose the entirety of the White House’s anti-Latino, anti-immigrant agenda (and then some), without ever actually fixing the problem this President created by ending DACA.

Protecting the DACA population is critical for our country. Dreamers contribute to our economy and our communities. In fact, a recent survey of DACA holders showed that because of DACA, 95 percent of recipients were working or in school; 63 percent got a better paying job; 54 percent bought their first car; and 12 percent bought their first home. Given this data, it is certain that permanent relief will further enable individuals to continue to make these invaluable contributions to our economy. For instance, it will allow schools to keep the 20,000 teachers who are eligible for DACA in the classroom with their students. Most important, a permanent fix will keep families together, as most individuals who would be covered by the Dream Act have immediate U.S. citizen family members, including U.S. citizen children.

Not only must Congress not shirk its responsibility here, but it must also reject any legislation that advances a fringe White nationalist wish list, such as H.R. 4760.

We urge you to oppose H.R. 4670 and instead support the Dream Act of 2017, S. 1615/H.R. 3440, including co-sponsoring the bill, signing the discharge petition to bring the bill to the floor, and expressing public support for a vote.

Please contact NHLA through Andrea Senteno, of MALDEF, at asenteno@maldef.org, or Laura Esquivel, of Hispanic Federation, at lesquivel@hispanicfederation.org, with any questions regarding this issue. Thank you for your time and consideration.

Sincerely,



Thomas A. Saenz
MALDEF, President and General Counsel
NHLA Immigration Committee Co-Chair



Jose Calderon
Hispanic Federation, President
NHLA Immigration Committee Co-Chair