

September 29, 2021

Via email

Re: Keep a pathway to citizenship for immigrant communities in the Build Back Better reconciliation bill

Dear President Biden, Vice President Harris, Majority Leader Schumer and Speaker Pelosi,

We, the undersigned 57 civil and human rights organizations, write to urge you to prioritize keeping a pathway to citizenship for immigrants in the budget reconciliation bill. Deeply rooted immigrants—including those who came to the United States as children and may have Deferred Action for Childhood Arrivals (DACA), those who have fled violence and other crises and currently have Temporary Protected Status (TPS) or Deferred Enforced Departure (DED), and those who have kept the US economy going during the pandemic by serving as essential workers—deserve lasting protection from deportation and the ability to live freely with their families and in their communities, protecting fundamental rights, and powering US businesses and the national economy.

The budget reconciliation bill remains the most viable opportunity to finally make this reform to the US' unfair immigration system. We urge you not to let obstacles posed by any single individual—whether it be the Senate parliamentarian or a member of Congress—derail the moral imperative of finally achieving a pathway to citizenship.

This is a critical moment to reset US global leadership. Countries around the world are continuing to grapple with how to address the movement of people within and across their borders due to climate change, poverty, inequality, conflict and other crises. Right now, the United States is setting the wrong example and failing to lead. Inside the country, it has relegated millions of undocumented people, disproportionately people of color, to a permanent underclass, trapping them in a lifetime of systematic disadvantage and vulnerability to discrimination and exploitation. At the border, thousands of people—including Black migrants and asylum-seekers—are suffering rights violations due to the Title 42 expulsion policy and other policy failures.

You can help both the United States and other nations change course. Enacting a pathway to citizenship for people who are deeply-rooted in the United States sends a powerful message to the world: It reaffirms that human rights are universal and that all humans are equally deserving of dignity and fairness. Let that message be the Biden administration's rejoinder to the xenophobia, harassment and abuse that have become markers of far too many government responses to migration.

While including a pathway to citizenship in the budget reconciliation bill would [grow the economy](#) by billions of dollars, it is also a matter of fundamental fairness and rights protection. People who have built lives, homes and families in the United States, many of whom have served as essential workers during the Covid-19 pandemic, have long been vulnerable to discrimination, labor abuses and denial of equal protection under the law due to their immigration status. Their

long-term relegation to underclass status offends the core principles of the Thirteenth, Fourteenth and Fifteenth Amendments to the US Constitution as well as the UN Declaration of Human Rights and other human rights treaties the United States has ratified. Indeed, in the context of the Covid-19 pandemic, the [UN Secretary General](#) has called on states around the world to legalize undocumented immigrants in the spirit of an inclusive public health approach and in recognition of their important contributions during this crisis.

Expanding opportunities to earn citizenship will make the United States safer and fairer for everyone. In the workplace, employers often exploit workers' fear of immigration enforcement to deter them from reporting abuse, and they retaliate against those who do. This impacts both immigrants and citizens alike; the US government cannot adequately [protect the safety of all workers](#) unless its immigration policies ensure immigrant workers are able to speak up and report abuses by employers. Similarly, when immigrants and their loved ones live in fear of deportation, they are far less likely to seek and receive police protection and support law enforcement investigations into serious crimes—[undermining public safety](#) for all.

Enacting a pathway to citizenship would provide important protections for people currently caught in this [overly harsh](#) deportation system. Regardless of immigration status, the United States has obligations to protect human and civil rights, including the right to family unity and the right to due process. However, these rights are routinely violated within the US immigration and deportation system, which in most cases gives no airing or weight to immigrants' ties to home and family. Even when immigrants are able to secure an individualized hearing, under US law these factors are in most cases of no legal relevance in deciding whether the person should be removed from the country. A generous pathway to citizenship that accords due weight to immigrants' ties to the United States is one of the most effective ways to address the threat of deportation and separation for unauthorized immigrants, in advance of a wholesale reform of U.S. immigration laws.

To enact a pathway to citizenship for immigrant communities now, this year, is to take one deeply meaningful step toward a vision of a just and inclusive United States. The process and procedures by which you do this are up to you, but we call upon you to seize this historic opportunity to right enduring injustices and legally recognize as Americans the many immigrants whose deep roots in the United States inextricably bind them to this country.

If you have any questions, please contact Clara Long at Human Rights Watch (clong@hrw.org), Naureen Shah at the ACLU (nshah@aclu.org) and Rob Randhava at the Leadership Conference on Civil and Human Rights (Randhava@civilrights.org).

Sincerely,

Human Rights Watch
American Civil Liberties Union (ACLU)
The Leadership Conference on Civil and Human Rights
Alliance for Quality Education
American Association of People with Disabilities
American Federation of Labor - Congress of Industrial Organizations (AFL-CIO)

American Federation of State, County and Municipal Employees
American Friends Service Committee
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice | AAJC
Center for Gender & Refugee Studies
Center for Law and Social Policy (CLASP)
Church World Service
Clearinghouse on Women's Issues
Common Defense
Disciples Refugee & Immigration Ministries
Earthjustice
Equal Justice Society
Faith in Public Life
Friends Committee on National Legislation
Global Justice Center
Groundswell Action Fund
Haitian Bridge Alliance
Human Rights First
Immigrants Rising, a project of Community Initiatives
Impact Fund
Japanese American Citizens League
Jewish Alliance for Law and Social Action
Jewish Progressive Action
Justice for Migrant Women
Labor Council for Latin American Advancement
League of Conservation Voters
League of United Latin American Citizens (LULAC)
League of Women Voters of the United States
Matthew Shepard Foundation
NAACP
National Black Justice Coalition
National Council of Jewish Women
National Domestic Workers Alliance
National Education Association
National Employment Law Project
National Immigrant Justice Center
Oxfam America
Public Justice
Stand for Children
Supermajority
The Workers Circle
UndocuBlack Network
UnidosUS
Union for Reform Judaism
Unitarian Universalist Association
United We Dream

Voces de la Frontera
Women's Law Project
Women's Refugee Commission
Woodhull Freedom Foundation
Workplace Fairness