
21 for '21:

Fixing America's Immigration System

President-elect Biden has promised a new course on immigration policy in his Administration. The challenges before him and his Administration will be many, but so are the opportunities to reaffirm the importance of immigration to American society, American culture, and the American economy. At New American Economy, we believe that immigration reform can and should be a top priority in 2021. That's why today, we're announcing 21 concrete ideas for policies a Biden Administration could achieve in 2021.

At New American Economy, we are committed to the fight for comprehensive immigration reform — including a full path to citizenship for the 11 million undocumented, a modernization of our legal immigration system, and sensible immigration enforcement priorities focused on public safety — but we also see an opportunity for a Biden Administration to quickly enact smart policies that will help immigrants and Americans both, bolstering our COVID-19 response and ensuring we can build back stronger in the aftermath of the pandemic.

In 2021, the next Administration and Congress should:

- 1 End family separation at the border
- 2 Rescind the travel and immigration bans
- 3 Reverse the public charge rule
- 4 Streamline the process for international students and staple green cards to the diplomas of STEM graduates
- 5 Restore fairness to the U.S. asylum process

- 6 Restore the U.S. refugee resettlement process
- 7 Create a federal Office of New Americans
- 8 Modernize U.S. ports of entry
- 9 Protect DACA/Dreamers
- 10 Provide a path to citizenship for essential workers
- 11 Reverse the H-1B and other nonimmigrant visa bans and reform the H-1B visa system to boost American innovation and better protect American workers
- 12 Create new visa pathways for essential occupations
- 13 Protect TPS Holders
- 14 Address the factors that contribute to brain waste like reducing burdensome occupational licensing barriers
- 15 Reform the H-2A visa and provide a path to citizenship for farmworkers
- 16 Reform the H-2B visa program
- 17 Create a Start-Up visa for immigrant entrepreneurs
- 18 Give states and localities a role in the immigration process
- 19 End per country caps and clear the USCIS backlogs
- 20 End the three and ten-year bars
- 21 Invest in English language and U.S. civics instruction

Detailed list:

- 1 **End family separation at the border.** As many as 5,400 children were separated from their families at the border by the Trump administration, and 545 children who were separated from their parents at the border are still unable to be reunited. In 2021, the next administration should end the policy of family separation once and for all, and take swift action to locate and reunite families, including families that may have been separated by deportation.

2 Rescind the travel and immigration bans. The travel ban enacted under the Trump administration is not only discriminatory and un-American, it is also costly to the U.S. economy and puts the future of industries like healthcare and STEM at risk. Individuals from Middle East and North African countries are more likely than the US-born to have degrees in STEM and other key fields, and barring entry has had negative consequences for U.S. employers, universities, and communities. Additionally, the immigration bans put in place by the Trump administration under the guise of COVID-19 economic protection will likely only hinder America's ability to grow out of the economic recession, and have kept families apart unnecessarily. In 2021, the next administration should immediately reverse the travel and immigration bans.

Share these stats:

- Among college-educated immigrants from the Middle East and North Africa, 46.6% have degrees in STEM (Source)
- Immigrants from the Middle East and North Africa pay an estimated \$17 billion in taxes annually (Source)

Share these stories:

- Modern Healthcare Magazine: Trump's travel ban sows uncertainty for healthcare and medicine

3 Reverse the public charge rule. The Trump administration has sought to bar immigrants through an expanded public charge test, which could affect as many as 3.9 million people. This rule has had a dampening effect on immigrants seeking healthcare and other services out of fear that receiving such services could make them deportable – which has complicated efforts to respond to COVID-19. In 2021, the next administration should immediately reverse the public charge rule.

Share these stats:

- Nearly 3.9 million non-citizens are potentially affected by the public charge rule (Source)
- The public charge rule could drain the U.S. economy of as much as \$81.9 billion (Source)

Share these stories:

- Nancy G. Luna, an immigration attorney, in the Houston Chronicle: Why my immigrant clients are avoiding doctors
- Karla Gonzales Garcia, healthcare access advocate, in the Denver Westword: Trump's proposed public charge rule will hurt immigrants — and American families

4 Streamline the process for international students and staple green cards to the diplomas of STEM graduates. Every year, the U.S. sends talented international student graduates back to their home countries after investing in their education and training even those with degrees in high-demand fields like Science, Technology, Engineering and Math. During COVID-19, the Trump Administration has pushed for new restrictions that would make it more difficult for international students to study and remain in the U.S., and research shows that the U.S. is already falling behind in the race to attract international talent. In 2021, Congress should streamline the process for international students and create a path for international student graduates with degrees in STEM, healthcare, business and other key fields to apply for permanent residency in the U.S.

Share these stats:

- Nearly 80% of graduate students in computer science and electrical engineering fields are foreign-born (Source)
- In the 2017-18 academic year, international students contributed \$39 billion to the U.S. economy and supported more than 455,000 American jobs. (Source)
- Read more about international students — and how the U.S. is falling behind in attracting them — here.

Share these stories:

- Vivek Vaidya, tech company founder, in the Denver Westword: We need foreign students to keep “America First”
- Mariane Faye, Canadian product manager, in the Houston Chronicle: Ending program for foreign students could worsen America's STEM worker shortage

— Sowmya Saxena, pharmacist, in the Cincinnati Business Courier: Foreign students help support U.S. health care, other STEM industries

5 Restore fairness to the asylum process. Through the Asylum Transit Ban, Asylum Metering, and Migrant Protection Protocols, the Trump administration's policies on asylum have created a humanitarian crisis at the U.S. southern border and blocked vulnerable migrants fleeing violence and persecution from having their cases heard. In 2021, the next administration should reverse these policies and reaffirm protections for individuals fleeing gang and domestic violence, while also increasing the number of immigration court judges and asylum officers to reduce the case backlog. The next administration should also consider keeping cases with positive credible-fear findings within the Asylum Division.

Share these stats:

— Asylum grant rates in immigration court have fallen nearly 40% since 2016 (Source)

— The immigration court backlog has almost doubled under the Trump administration to over 1 million cases (Source)

Share these stories:

— Elora Mukherjee, Columbia Law professor, in the LA Times: Here's what happens to the asylum seekers we turn away

6 Restore the U.S. refugee resettlement process. Under the Trump Administration, the U.S. has slashed refugee admissions to their lowest levels since the program's inception, backing away from America's humanitarian commitment and practically dismantling U.S. refugee resettlement altogether. In 2021, the next administration should restore the refugee resettlement program, setting a target of 125,000 new admissions.

Share these stats:

— Refugees have a higher rate of entrepreneurship (13%) than the U.S.-born population (9%) or immigrants overall (11%) (Source)

— Refugees pay nearly \$21 billion in taxes annually (Source)

Share these stories:

- Luma Mufleh, Muslim refugee, in Fox News: What this proud American has learned about resilience
- Ekhlhas Ahmed, refugee and activist, in the Portland Press-Herald: Refugees know what it means to live with uncertainty
- Mikhail Shneyder, president and CEO of Nightingale College, in the Salt Lake Tribune: Welcoming refugees is what Utah stands for

7 Create a federal Office of New Americans. There is currently no coordinated national effort to ensure that the more than 40 million immigrants living in the U.S. are able to effectively integrate into the economic, civic and cultural fabric of their communities. In 2021, the next administration should establish a federal Office of New Americans that will work across agencies like Health and Human Services, Labor, Education, and others, and direct federal integration funding to communities to facilitate immigrant integration.

8 Modernize U.S. ports of entry. America's ports of entry lack the resources and personnel necessary to handle the current security, economic and humanitarian demands placed on them. Rather than address these issues, the Trump administration used a national emergency declaration to take billions from the U.S. military to pay for border wall construction. In 2021, Congress and the administration should place a moratorium on border wall construction and work together to upgrade U.S. ports of entry, ensure adequate staffing, and complete the process of implementing an entry and exit system.

9 Protect DACA/Dreamers. The uncertainty over the future of the Deferred Action for Childhood Arrivals (DACA) program has left hundreds of thousands of Dreamers – as well as their families, communities, and employers – in limbo. As the COVID-19 pandemic continues, more than half of the estimated 1.2 million Dreamers who are eligible for DACA are also essential workers, working on the frontlines of healthcare, the U.S. food supply chain, and in other sectors that will be crucial to America's economic recovery in the months and years ahead. In 2021, Congress should take swift action to provide permanent protection and a pathway to citizenship for Dreamers.

Share these stats:

- Nearly half of the 1.2 million DACA-eligible immigrants in the U.S. are essential workers, 62,000 of whom are essential healthcare workers (Source)
- DACA-eligible immigrants contribute close to \$6 billion in taxes annually (Source)
- More than 1 in 7 DACA-eligible people have language skills that are in short supply in the U.S. military (Source)

Share these stories:

- Justin Yancy, President of the Texas Business Leadership Council, in the Waco Tribune-Herald: Dreamers are essential to Texas — it's time to let them stay
- Alejandra Ruiz, DACA recipient, in the New York Times: Let the 'Dreamers' Succeed
- Lori Lightfoot, Mayor of Chicago, in the Chicago Tribune: Chicago has led the nation in supporting DACA recipients

10 Provide a path to citizenship for essential workers. Despite caring for Americans who have contracted COVID-19, working to keep the U.S. food supply chain intact, and providing essential neighborhood services, hundreds of thousands of immigrant workers have been left out of COVID-19 relief packages due to their immigration status. There are nearly 300,000 undocumented immigrants working in the healthcare sector alone. In 2021, Congress should take swift action to provide an earned path to citizenship for undocumented immigrants who are employed as essential workers in the U.S.

Share these stats:

- There are nearly 280,000 undocumented workers on the frontlines of the healthcare industry (Source)
- Roughly 7% of all home health aides in the U.S. are undocumented (Source)
- Approximately 1 in 10 workers in the Hotel and Accommodations (10.0%) and Restaurants and Food Service (8.3%) industries are undocumented (Source)

Share these stories:

- Adam Lampert, CEO of Manchester Place Care Homes, for the Rational Middle: Immigrants are caring for our senior during the pandemic
- Karen Garcia, registered nurse, in the Arizona Republic: Arizona needs every nurse to fight COVID-19, including undocumented ones like me
- Araceli Herrera, founder, Domestica Unidas, in the San Antonio Report: Front Line Domestic Workers Deserve More

11 Reverse the H-1B and other nonimmigrant visa bans and reform the H-1B visa system to boost American innovation and better protect American workers.

Even before the Trump administration erected new, misguided barriers to high-skilled immigration, the current U.S. high-skilled visa system had become practically unworkable. It has remained relatively unchanged since 1990, before the internet and globalization reshaped our economy and the U.S. became the top destination for high-skilled innovators and entrepreneurs from around the world. As a result, each year H-1B visas are so oversubscribed that a randomized lottery determines who will be allowed to enter, and which companies will be able to address their talent shortages. In order to address the shortage of high-skilled workers while also protecting U.S. workers, the next administration should reverse the H-1B and other nonimmigrant visa bans, and Congress should reform the H-1B visa system, raising the overall cap on H-1B visas while also implementing stronger wage and displacement protections for U.S. workers.

Share these stats:

- The failure of past applications to make it through the H-1B visa lotteries has caused U.S. metropolitan areas to miss out on creating hundreds of thousands of tech sector jobs (Source)
- Past H-1B visa denials caused U.S. workers to miss out on more than \$3 billion in wages (Source)

Share these stories:

- Justin Walker, associate dean at the University of Arizona, in the Arizona Daily Star: Southern Arizona knows immigration

12 Create new visa pathways for essential occupations. COVID-19 has increased demand for workers in many occupations that already face large and growing labor needs. The doctors, nurses, home health aides, nannies, agricultural workers, restaurateurs, drivers, janitors, packers, and so many more who are working to get us through this pandemic need help to alleviate an overburdened system. In 2021, Congress should take swift action to expand and create new visa pathways for workers in essential occupations, especially in the healthcare sector.

Share these stats:

- There is an acute shortage of physicians in rural U.S. counties: 135 counties in the U.S. lack a single physician (Source)
- By 2050, more than 1 in 5 Americans will be over the age of 65 (Source)
- More than 1 in 4 U.S. physicians is foreign-born (Source)
- More than 1 in 3 U.S. home health aides is foreign-born (Source)

Share these stories:

- Dr. Tarig Elhakim, resident at Kendall Regional Medical Center, in *The Hill's Changing America: I'm a foreign born doctor fighting America's war against the coronavirus. The US needs more of us.*
 - Guillermo Pineda, medical student at Baylor College of Medicine, in *BMJ Opinion: Why the US needs immigrants in medicine more than ever*
 - Patricia Diaz, orthopedic surgical nurse, in the *South Florida Sun Sentinel: Immigrant health care workers are on front lines of COVID-19 pandemic. More needed for the fight.*
- 13 Protect TPS Holders.** As early as March 2021, hundreds of thousands of Temporary Protected Status (TPS) holders could be forced to leave the country. The vast majority of TPS holders have been living in the U.S. for nearly two decades – starting families, buying homes, and contributing to our workforce. In 2021, Congress should take swift action to provide TPS holders who have built their lives in the U.S. with a path to permanent residency and citizenship.

Share these stats:

- Collectively, TPS holders paid more than \$1.5 billion in taxes in 2017 (Source)
- More than 1 in every 10 TPS holders is self-employed (Source)
- TPS holders help build back after disasters: In major metro areas impacted by recent disasters, TPS holders make up at least 1 in 10, and as many as 3 in 10, construction workers (Source)

Share these stories:

- Jose Palma, co-founder of the Massachusetts TPS Committee, in *The Hill*: For TPS holders, the election stakes couldn't be higher
- Johan Molina, child of TPS holders and college student, in the *Greensboro News & Record*: Save TPS, and keep North Carolina families together

14 Address the factors that contribute to brain waste, especially for immigrants in the healthcare sector. There are an estimated 2 million college-educated, work authorized immigrants living in the U.S. who are unemployed or underemployed due to complicated professional licensing pathways, lack of vocational English language ability, lack of professional networks, and related issues. In 2021, the next administration should order a review of these barriers, especially for immigrants in the healthcare sector, and work with states to help qualified immigrants enter the workforce.

Share these stats:

- Nearly two million highly-skilled immigrants in the U.S. are working in lesser-skilled jobs or are unemployed (Source)
- Addressing brain waste could result in as much as \$39.4 billion in additional income for immigrant households, and \$10.2 billion in additional tax revenue (Source)

Share these stories:

- *Reuters*: Doctors as taxi drivers: Untapped immigrant talent costs U.S. billions

15 Reform the H-2A visa and provide a path to citizenship for farmworkers. Even before COVID-19 struck, agriculture employers faced acute labor shortages and — for many — an unworkable H-2A visa system. At the same time, farmworkers on H-2A visas lack the flexibility to change employers and may return to the U.S. season after season with no path to stay permanently. On top of this, more than one third of farmworkers in the U.S. are undocumented and lack any protection. As COVID-19 places greater pressure on the U.S. food supply chain, it is more important than ever to have a workable H-2A visa system and establish a pathway for farmworkers to eventually earn citizenship in the U.S. In 2021, Congress should take swift action to reform the H-2A visa system, making H-2A visas portable, and create a path to legalization for farmworkers.

Share these stats:

- More than one third (36.1%) of all agricultural workers are undocumented (Source)
- In some states, the share of farmworkers who are foreign born exceeds 75%: In Florida, 77.4% of agricultural workers are foreign-born, in Arizona, 80.4% (Source)
- Labor shortages in the agriculture industry have cost the U.S. 41,000 American jobs in non-farm sectors (Source)

Share these stories:

- Fred Leitz, Michigan farmer, in Fox Business: America's food supply is in danger if we don't use immigrant workers legally
- Dante Galleazzi, Texas International Produce Association, in the Corpus Christi Caller-Times: It's time to end labor shortages for Texas farmers
- Joel Del Bosque, CEO of Del Bosque Farms, in the Orange County Register: America can't eat without farmworkers

16 Reform the H-2B visa program. Industries like landscaping, seafood, construction, and hospitality depend on the H-2B visa program to get the workers they need to operate and grow. Yet there are only 66,000 visas available each year to cover all of these industries, vastly fewer than are needed, and H-2B workers can't change employers, or apply for citizenship. As states grapple with how to rebound after COVID-19, many will be dependent on the country's \$700 billion tourism industry to

recover. In 2021, Congress should take swift action to reform the H-2B visa system, increasing the cap, and making H-2B visas portable.

Share these stats:

- 19.5% of the Hospitality workforce is foreign-born (Source)
- 1 in 5 construction workers are immigrants (Source)

Share these stories:

- Daniel Currin, business owner, in the Raleigh News & Observer: I run a landscaping business. We need more foreign workers.
- Chris Romer, president and CEO of the Vail Valley Partnership: Trump's visa suspension further damages Eagle County economy

17 Create Start-up visas for immigrant entrepreneurs. Unlike many of our competitors, the U.S. does not currently offer a visa to individuals seeking to start a new business that would create American jobs. Instead, every year, the U.S. misses out on attracting talented innovators and entrepreneurs, sending them to compete against us abroad. In 2021, Congress should create new visas specifically for individuals seeking to start new businesses in the U.S., and provide a path to permanent residency for individuals who are able to grow their ventures and create American jobs.

Share these stats:

- More than 40% of Fortune 500 companies were founded by immigrants or their children (Source)
- More than 8 million Americans are employed at immigrant-owned firms (Source)
- Read more about immigrant entrepreneurship here.

Share these stories:

- Nafy Flatley, founder of Teranga, in Bob Cut Magazine: Immigrants like me will be crucial to the economic recovery

— Amar Sawhney, chairman of Ocular Therapeutix, in Xconomy: America Should Welcome Immigrant Entrepreneurs

18 Give states and localities a role in the immigration process. Many cities and states across the country have enacted policies to attract and retain immigrants already living in the U.S., yet are unable to petition for new immigrant workers to address unmet demographic and economic needs. In 2021, Congress should create a new “Heartland Visa” that would allow localities to attract additional immigrants.

Share these stats:

— When a city experiences a diversity boost, the average person living in the metropolitan area sees their wages rise by about 6 percent (Source)

— For every 1,000 immigrants settling in a county, 250 U.S.-born individuals follow, drawn by increased economic opportunity (Source)

Share these stories:

— Mike Coffman, mayor of Aurora and former Member of Congress, in The Hill’s Changing America: In Aurora, Colorado, we welcome immigrants. This is why your city should, too.

— Mary Casillas Salas, mayor of Chula Vista, in the Times of San Diego: Chula Vista leads the way for immigrant integration and success

19 End per country caps and clear the USCIS backlogs. Since 1991, when the current per-country caps went into effect, time spent waiting to apply for a green card has doubled from an average of 2 years and 10 months to 5 years and 8 months, and there are now nearly 5 million people in the green card applicant backlog. Additionally, more than 700,000 naturalization applications are currently awaiting review from U.S. Citizenship and Immigration Services (USCIS), which lacks the resources, staffing and leadership to process applications in a timely manner. Many eligible applicants, who may wait longer than a year to have their applications approved, missed out on the opportunity to naturalize and vote in the 2020 presidential election. In 2021, Congress should end the per-country caps on employment and family-based visas and also appropriate sufficient funding to the agency to clear the naturalization backlog and ensure timely processing going forward.

Share these stats:

- 28 percent of green card applicants wait a decade or more for their visas to be approved (Source)
- More than 700,000 naturalization applications are awaiting review from U.S. Citizenship and Immigration Services (Source)

Share these stories:

- Praveena Jaidev, physician in Illinois, in the Journal Standard: Essential immigrant physicians caught in no-man's land
- Siham Bouamer, Assistant Professor, in The Huntsville Item: After living in America for 15 years, I deserve a voice in U.S. democracy
- Ingrid Perez, immigration lawyer, in the Orlando Sentinel: Naturalization delays stifle new Americans' voting power

20 End the three and ten-year bars. Since the passage of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, immigrants living in the U.S. without authorization who qualify to apply for legal status (e.g., through marriage or employer sponsorship) must first leave the country for either three or ten years before they can legally gain entry. This discourages eligible immigrants from pursuing legalization and results in more immigrants living in the U.S. illegally. In 2021, Congress should pass legislation ending the arcane three- and ten-year bars.

Share these stats:

- The undocumented population has more than doubled in the years since the three- and ten-year bars were established (Source)

21 Invest in English language and U.S. civics instruction. Compared with immigrants from over 100 years ago, today's immigrants are more highly educated and more likely to speak English. Yet there is still a need to ensure that newcomers can learn English and more fully integrate into their communities. In many cities across the U.S., however, demand for English language courses outpaces their availability. In 2021, Congress should invest significantly in English language and U.S. civics courses.

Share these stats:

- Nearly 1 in 10 working-age adults in the U.S. are considered limited English proficient (Source)

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New American Economy is a bipartisan research and advocacy organization fighting for smart federal, state, and local immigration policies that help grow our economy and create jobs for all Americans. [More...](#)

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