

The Honorable Richard Shelby
Chairman Vice
Senate Committee on Appropriations

The Honorable Patrick Leahy
Chairman
Senate Committee on Appropriations

The Honorable Lindsey Graham
Chairman
Senate Committee on the Judiciary

The Honorable Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary

The Honorable Ron Johnson
Chairman
Senate Committee on Homeland Security
& Governmental Affairs

The Honorable Gary C. Peters
Ranking Member
Senate Committee on Homeland Security
& Governmental Affairs

CC: The Honorable Charles Schumer, Senate Majority Leader; The Honorable Mitch McConnell, Senate Minority Leader

[VIA EMAIL]

June 30, 2020

Dear Members of the Senate Appropriations, Judiciary, and Homeland Security Committees:

We, the undersigned national, state and local organizations, write to urge you to include in all appropriations bills language defunding Proclamation 10014 of April 22, 2020 “Suspension of Entry of Immigrants Who Present a Risk to the United States Labor Market During the Economic Recovery Following the 2019 Novel Coronavirus Outbreak” (“Immigration Ban”) and “Proclamation Suspending Entry of Aliens Who Present a Risk to the U.S. Labor Market Following the Coronavirus Outbreak” signed June 22, 2020 (“Expanded Immigration Ban”). We further request that you include in appropriations bills and supplemental funding bills for USCIS provisions preserving the number of allocated diversity visa and family-based visas that are not used this year due to these and other administrative actions and allow them to be used in subsequent fiscal years. Additional requests for guardrails to safeguard any USCIS appropriations to ensure they operate in good faith are available [here](#). Our current family-based immigration system and diversity immigrant visa program have successfully contributed to the rich, vibrant and multicultural U.S. communities that we see today.

Our current predominantly family-based immigration system was established by the Immigration and Nationality Act of 1965 (INA of 1965) to end the previous racist national origin quotas that began with the Chinese Exclusion Act of 1882 which heavily favored immigrants from Northern and Western Europe. Today, the vast majority of immigrants coming to the U.S. through the family-based system and diversity lottery are underrepresented people of color.

Since coming to power, this administration has sought to lower immigration levels and slash family-based immigration, particularly targeting Black immigrants, Muslim immigrants, immigrants of color and low-income immigrants. The White House has failed repeatedly to persuade Congress to pass its agenda of cutting immigrants, family-based visas or diversity visas and has halted immigration entirely to advance this goal.

Throughout his administration, the President has continuously chipped away at immigrant visas, in particular the family-based, diversity and humanitarian green card (refugee and asylee programs) program. Starting with the Muslim and Refugee Bans, the President initially sought to ban Muslim immigrants and refugees. Then he promulgated the public charge rule aimed at denying green card applications for all but the wealthiest and ancillary policies such as the Suspension of Entry to Immigrants Who Will Financially Burden the United States Healthcare System (the health care proclamation) and the Memorandum on Enforcing the Legal Responsibilities of Sponsors of Aliens, aiming to scare immigrants from sponsoring their family members.

The President expressed his particular dislike for Black immigrants and the diversity visa program and preference for European immigrants in notorious statements that need not be repeated. After winning at the Supreme Court, the President expanded the Muslim Ban to one (referred to as the African Ban) that bans either all green cards or diversity visas for people from Nigeria, Sudan, Tanzania, Eritrea, Libya, Somalia and Myanmar (Burma). Finally, using the Coronavirus pandemic as an excuse to further ban immigration, on April 22, the President issued “Proclamation Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19” banning immigrant visas, which on Monday, June 23rd was extended until December 31st under the pretext of helping the economy.

The Immigration and Nationality Act (“INA”) creates a clear statutory framework for the issuance and number of family-based green cards. The family-based system grants visas that are grouped into two categories: immediate relatives, which have no numerical limits, and family preference green cards. Family preference visas are capped at 226,000 applicants a year, and divided up among four family categories, each with its own numerical cap. Spouses, children under 21 years-old and parents of U.S. citizens are exempt from all categorical limitations. Spouses and children of U.S. citizens are excluded from the Immigration Ban, however parents of U.S. citizens outside the country are currently subject to the ban.

Currently, the Department of Homeland Security does not interpret the INA to allow unused visas to be rolled over into the subsequent fiscal year. Therefore, any unused visas for FY2020 will not roll over into FY2021 unless Congress acts. This will add to an already very long wait for many of the family-based visas. People wait years and even decades to be reunited with family members. We urge you to include language in the FY2021 appropriations bill and in any supplemental funding for USCIS that would rollover the unused family-based green cards from FY2020 and FY2021 into subsequent years. We note that language rolling over the family-based visas until subsequent fiscal years was included in the HEROES Act, which passed the House on May 15th, 2020.

Many diversity visas will also be lost if they are not rolled over into subsequent years. The Diversity Visa Program which was created by Congress to ensure diversity in our immigration system, provides 55,000 permanent resident visas or green cards for individuals hailing from nations and regions with low migration rates to the U.S. The Diversity Visa program has been a significant avenue for Africans to migrate to the country. In FY 2018, 17,318 Africans, 14,714 Asians, and 1,587 people from Latin America and the Caribbean [were admitted](#) into the U.S. as part of the yearly allotment of Diversity Visas. This one program serves as a powerful public diplomacy tool for the United States, and engenders immeasurable [goodwill particularly in Africa](#).

As a result of both the Immigration Ban and the Expanded Immigration Ban, many people who have already been selected for the Diversity Visa program will lose their opportunity to come to the U.S. if Congress does not act. We urge you to include language in the FY2021 appropriations bill and in any supplemental funding for USCIS language that would roll over the number of unused diversity immigrant visas into FY2021 and FY2022.

From day laborers delivering much-needed food and medical supplies to domestic workers and janitors ensuring clean and hygienic workplaces, frontline workers continue to play a vital role in the medical, food and service sectors. Immigrant doctors and healthcare workers are risking their own lives and family to ensure the safety of others. Yet, rather than focus on containing the pandemic the President continues to scapegoat immigrants and their families.

Many thriving and diverse communities in the U.S. would not exist but for the INA of 1965 and the Immigration Act of 1990. We value diversity and inclusion and we know that immigrants and refugees make America better. We urge you not to let the President usurp further usurp Congress's authority and to preserve the family-based and diversity green cards for next year.

Sincerely,

The Value Our Families Campaign

National Organizations

African American Ministers In Action
African Communities Together
Alianza Nacional de Campesinas
Alliance of Baptists
Amazin LeThi Foundation
Asian Americans Advancing Justice | AAJC
Asian Americans United
Asian Counseling and Referral Service
Asian Pacific American Labor Alliance, AFL-CIO
Asylum Seeker Advocacy Project (ASAP)
Black Alliance for Just Immigration (BAJI)
CenterLink: The Community for LGBT Centers
Center for Health Progress

Church World Service
Christian Reformed Church Office of Social Justice
Community Change
Disciples Center for Public Witness (Disciples of Christ)
Disciples Refugee and Immigration Ministries
East Coast Asian American Student Union (ECAASU)
Empowering Pacific Islander Communities (EPIC)
Equality California
Faiths for Safe Water
Families Belong Together
Filipino American National Historical Society
FIRM Action
Hispanic Federation
Immigration Hub
Islamophobia Studies Center
Japanese American Citizens League
Journey's End Refugee Services
Leadership Conference of Women Religious
Maryknoll Office for Global Concerns
NETWORK Lobby for Catholic Social Justice
National Asian Pacific American Women's Forum (NAPAWF)
National Council of Churches
National Korean American Service & Education Consortium (NAKASEC)
National Justice for Our Neighbors
National Network for Immigrant and Refugee Rights
NOVA Friends of Refugees
Pax Christi USA
Poligon Education Fund
Right 2 Family Campaign
Service Employees International Union (SEIU)
Sojourners
Sikh American Legal Defense and Education Fund
Sisters of Charity, BVM
Sojourners
South Asian Americans Leading Together (SAALT)
Southeast Asia Resource Action Center (SEARAC)
Undocublack Network
Unitarian Universalist Association
Unitarian Universalist Service Committee
Union for Reform Judaism

State and Local Organizations

CA

Asian Americans Advancing Justice – Asian Law Caucus

Asian Americans Advancing Justice - Los Angeles
Coalition for Humane Immigrant Rights (CHIRLA)
Equality California
Food Empowerment Project
Haitian Bridge Alliance
Indivisible Sausalito
ICE Out of Marin
Promesa Boyle Heights
SAAHAS For Cause
Services, Immigrant Rights & Education Network (SIREN)
SURJ Marin - Showing Up for Racial Justice
SURJ Marin
Yemeni Alliance Committee

CT

Connecticut Shoreline Indivisible
IRIS - Integrated Refugee and Immigrant Services

DC

Asian Pacific American Legal Resource Center

FL

AAFF South Florida Region
Farmworker Association of Florida
Florida Asian Services
Florida Asian Women Alliance
OCA South Florida Chapter

GA

Asian Americans Advancing Justice - Atlanta

IL

Asian Americans Advancing Justice - Chicago
Familia Latina Unida/Sin Fronteras
HANA Center (IL)

MD

CASA

MI

APIAVote - Michigan
American Citizens for Justice/Asian American Center for Justice

MO

St. Louis Inter-Faith Committee on Latin America (IFCLA)

MN

Coalition of Asian American Leaders

NC

Equality North Carolina

NJ

Wind of the Spirit Immigrant Resource Center

NM

New Mexico Asian Family Center

NV

Progressive Leadership Alliance of Nevada
Silver State Equality-Nevada

NY

Asian American Federation
Make the Road New York
MinKwon Center for Community Action
New York Immigration Coalition
Workers Center of Central New York

OH

Asian Services In Action (ASIA)
OPAWL - Building AAPI Feminist Leadership in Ohio

PA

Asian Americans United
CASA
Pennsylvania Immigration and Citizenship Coalition

TN

Tennessee Immigrant & Refugee Rights Coalition

TX

American Gateways (TX)
Chinese Community Center

VA

CASA

WA

Asian Counseling and Referral Service
OneAmerica