The National Immigration Law Center (NILC) urges Congress to pass broad and humane immigration reform that provides a clear roadmap to citizenship for aspiring Americans and makes it possible for them to fulfill their full human potential, participate fully in democracy, and integrate into the nation’s social and economic fabric, with access to affordable health care and economic supports.¹

While commonsense legislation is the permanent solution, President Obama has the legal authority and moral responsibility to act now and prevent the citizens of tomorrow from being deported today. Our current detention and deportation system is inhumane, expensive, and impractical—and it is ripping apart over 1,000 families and disrupting communities each day. Most immigrants facing deportation have deep ties to the United States and should not live in fear of being separated from their loved ones simply because Congress has failed to act.

In early April 2014, NILC, along with sixty other grassroots, labor, faith, legal, and advocacy groups, submitted recommendations to the Obama administration that include actions it can take immediately to decrease deportations and increase the number of people with lawful immigration status. The recommendations are not exhaustive and were not offered as alternatives to one another; all of the recommended actions are needed. Indeed, even if immigration reform legislation were passed today, we would still need administrative changes to drastically improve our detention and deportation policies.

Because NILC’s mission is to defend and advance the rights and opportunities of low-income immigrants, we are prioritizing the following administrative policy reforms because they would have the most impact on our constituents.

Remove the fear of deportation from aspiring citizens

- Expand administrative relief with work authorization to every person who has ties to the U.S. There are numerous ways the administration could prevent unnecessary deportations.² For example, the Department of Homeland Security (DHS) could create a program similar to Deferred Action for Childhood Arrivals (DACA)³ by which aspiring citizens could apply for protection from deportation on a case-by-case basis. This relief would allow all those who have family, employment, community,
business, and other ties to the U.S. to remain here without the threat of deportation. In order to be successful, such a program would have to be implemented as quickly and broadly as possible.

- **Make prosecutorial discretion meaningful.**
  - Consider the damage done to communities and the economy when we deport immigrants with strong ties to the U.S. Each U.S. official’s goal should be to look at an individual’s entire case and assess whether the person is eligible to remain in the U.S and contribute to their family and community rather than focusing on how to maximize deportations.
  - Develop a process through which immigrants engaged in defending civil and labor rights, or attempting to defend such rights, obtain immigration status and work authorization that allows them to pursue those important rights.

**Stop programs that force automatic deportations**

- **End the Secure Communities (S-Comm) program,** the 287(g) program, the Criminal Alien Program (CAP), and all other collaboration between state and local enforcement and U.S. Immigration and Customs Enforcement (ICE).
- **Exercise discretion** to not place individuals with unlawful reentry and other immigration-related status violations into deportation proceedings.
- **End Operation Streamline,** under which nearly all undocumented immigrants crossing the southern border in certain areas are prosecuted through the federal criminal justice system.
- **Significantly reduce criminal prosecutions of status-related offenses,** such as unlawful entry and unlawful reentry, generally.

**Examine each person’s case before considering deportation**

- **Strengthen due process protections,** including:
  - limit the use of summary removals, e.g., expedited removal, reinstatement of removal, and stipulated orders of removal;
  - use alternatives to detention, including for individuals subject to “mandatory detention”; and
  - provide bond hearings to all immigrants detained for six months or more.

- **Terminate removal proceedings and no longer initiate such proceedings against lawful permanent residents (LPRs) with old convictions** or with convictions that would not have made them deportable at the time they were committed. LPRs are our veterans, business owners, and family members. In each such case, the immigration officer should take a full, careful look at the potential devastation that would be caused by removing an integral member of our community before initiating deportation proceedings that too often are irreversible.

For more detailed information, visit [www.nilc.org](http://www.nilc.org) or contact Don Lyster, DC Office Director, at lyster@nilc.org