

March 12, 2024

To: Interested Parties

From: Kerri Talbot and Beatriz Lopez, Immigration Hub

Re: **How President Biden Can Meet the American Electorate's Demands on Immigration**

In contrast to previous election cycles, the issue of immigration has risen as one of the top concerns for a majority of Americans, in large part because of decades of congressional inaction and relentless right-wing political attacks. The latest attempt to pass bipartisan legislation in Congress to address the situation on the border was undermined by the presumptive Republican nominee, seemingly leaving President Biden without any other recourse than to take administrative action. We readily recognize that the president must continue to use his authority to increase capacity to manage migration and resource federal law enforcement and government agencies to increase screening and apprehension of drugs and fentanyl at the border. **Equally, the Biden administration has a critical opportunity to appeal to key voters in battleground states, including Biden's 2020 coalition of supporters such as youth, Latino, and Black voters, by also delivering popular immigration solutions that provide legal pathways for Dreamers and long-settled immigrant communities.**

Consistently, polling by media and advocacy organizations has found that a majority of voters support a balanced compromise to fixing our immigration system – sensible border security policies and a pathway to citizenship.

- A [new battleground poll](#) commissioned by the **Immigration Hub** and conducted by **Global Strategy Group** found that two in five (43%) voters cite immigration as one of their top issues, falling behind only inflation (51%).
- The survey also found that **81% of battleground voters support a pathway to citizenship for undocumented immigrants** who have been living in the U.S. for many years, pass a background check, and pay taxes.
- The GSG poll also found strong support for delivering both border security solutions and legal pathways for immigrants currently in the U.S. **More than 70% of voters support investing in border security measures** such as increased screening capacity, improving technology and infrastructure at the border, and increasing the number of border officials.
- In the same GSG poll, **battleground voters opposed family separation (65%) and banning asylum (55%).**
- On par with these findings, the *Wall St. Journal* [found](#) that 59% of voters support the bipartisan border deal while 74% of voters support a pathway to citizenship for undocumented immigrants, 66% of voters support a mechanism for Dreamers to become U.S. citizens, and 58% of voters support an increase in legal immigration.

What's clear among these latest polls is that despite all the attention on the border, the demand and support for legal pathways for Dreamers and undocumented immigrants in the U.S. is overwhelming. As such the Biden administration should seize the opportunity to meet the demands of the American electorate and excite his 2020 coalition by taking decisive action to open a pathway for Dreamers and long-settled immigrants to gain U.S. citizenship or legal status.

As Congress continues to block border security funds, the administration should consider border security measures such as a Stafford Act national emergency declaration that would provide more resources to promote fair and efficient processing and orderliness. In addition to these border security actions, the administration should consider

the following in order to keep a balanced approach that both secures the border and provides relief to long-term residents:

1. **Modernizing the Rule for America’s Family Caretakers to Stay Together.** The administration should allow more Dreamers and family caretakers to access an existing path to work authorization and legal status, allowing thousands of long-settled individuals in mixed-status families to stay together and contribute to their family and communities. The administration can make a program currently on the books more accessible to thousands of long-term residents who meet the requirements of living in the U.S. for 10 years and having U.S. citizen or resident relatives who would face hardship if the applicant were removed. Many Dreamers, including DACA recipients, could qualify for work permits and eventually permanent residency if the rule were to be updated. Letters from both [House](#) and [Senate](#) leaders, as well as 24 of the nation’s largest [Hispanic civil rights organizations](#) have called on the administration to implement this form of relief.

Action: The Biden administration should quickly move forward with [proposing and finalizing a rule](#), opening access to the path for America’s Family Caretakers to Stay Together.

2. **Permit All Spouses of Americans to Work While they Wait for Permanent Residency.** According to The Migration Policy Institute, an [estimated 1.3 million](#) Americans are married to a spouse who is undocumented. Today, many of these immigrant spouses of American citizens, including Dreamers, must leave the U.S. to complete their journey to a green card and they face extremely long wait periods – wait times now regularly exceed 3.5 years. On top of this, these individuals can’t apply for work permits to support themselves while they wait unlike spouses who can adjust within the U.S. **It doesn’t have to be this way: the administration should explore all its options— from its parole and deferred action authorities, to amending existing work permit regulations — to allow them to work while they wait.**

Action: The administration has signaled its intent to do rulemaking around adjustment of status issues, and as it moves forward with its [proposed regulation](#), it should, as a matter of parity, also update its work authorization regulations to allow people with pending “provisional waivers” to apply for work permits as they inch through very long backlogs. The administration could also grant parole to these families.

3. **Temporary Protected Status (TPS) for Ecuador, DRC, Nicaragua and all other nations that qualify.** People from these countries have been living in the U.S. and have established roots, been paying taxes, and many have U.S. citizen children and other family members. In fact, the majority of Americans (73%) support legal pathways for long-settled immigrants who have lived here for many years.

Action: Redesignate all nations that qualify for TPS including Ecuador, DRC and Nicaragua, among other nations.

By taking decisive action that would provide thousands of Dreamers and long-settled immigrants in the U.S. access to legal pathways, President Biden could deliver on his original promise to Americans: ensuring that immigrant families can stay together and continue contributing to the nation they call home. In stark contrast to Donald Trump, the president can show the American people that instead of demonizing immigrants, separating families or threatening to round up and deport immigrants, he is committed to rebuilding our immigration system in line with America’s values and centered on the very families who have fueled our economic comeback.