



CHIRLA
Coalition for Humane
Immigrant Rights

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Highlights of President Biden's Executive Orders on Family Unity & Asylum

February 8th, 2021

On February 2nd, 2021, [President Biden signed three executive actions](#) to address immigration. Below is a summary of these executive actions. CHIRLA is in support of the use of executive powers to provide relief to immigrant families and we will work to ensure these orders are fully implemented.

[Topic: Family Separation \(click here to read the EO\)](#)

This Executive Order (EO) systematically begins to reverse the Trump administration's cruel and inhumane policies on family separations. This comes on the heels of the [DOJ's 1/26/21 termination](#) of former AG Sessions' "[zero tolerance](#)" memo. Specifically seeking to:

- Create a Task Force ("Interagency Task Force on the Reunification of Families") to reunite children with their families. It will be chaired by DHS Secretary Alejandro Mayorkas and also the Secretary of State, the Secretary for Health & Human Services, the Attorney General and others. The goals of this taskforce are to:
 - Identify all children separated from their families during the Trump administration. Other family members, e.g. siblings, could be eligible to join the family.
 - Reunite families *in* the U.S. is one option to be discussed.
 - Identify services including counseling and therapy to be discussed.
 - Consult and coordinate with stakeholders, including families and NGOs, and report directly to the President.
 - First report after 120 days (4 months).

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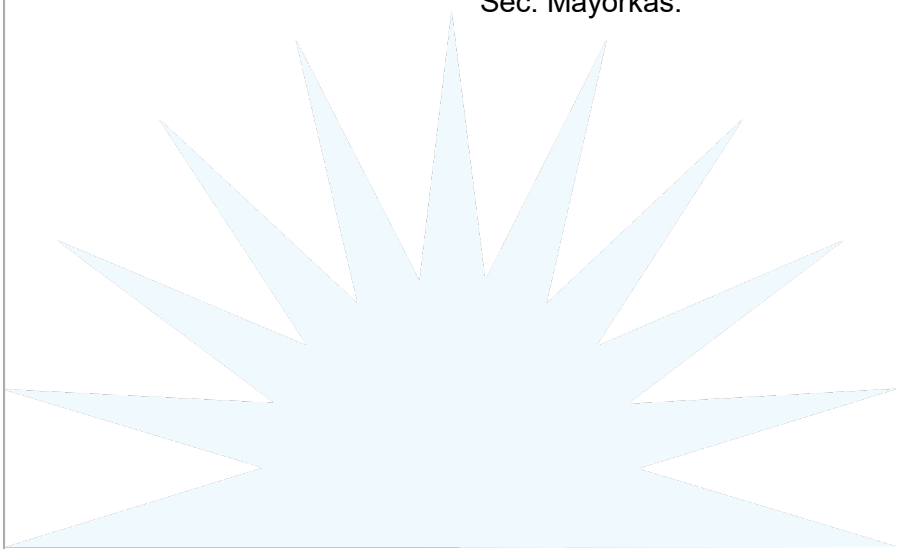
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[Topic: Asylum \(click here to read the EO\)](#)

A Three-Part Plan to Address the Destruction of the Asylum System by:

- Addressing the root causes of migration that lead to the instability and violence that lead to persecution
- Working with regional partners, including foreign governments and NGOs, to set up safe asylum processing in the region. This is a noble concept but we have seen in Europe how this outsourcing leads to terrible conditions in other countries.
- Reviewing MPP (Migrant Protection Protocols) & [the CDC Title 42 Border Expulsions](#), which under the guise of responding to COVID-19 resulted in the expulsion of asylum seekers.
 - Immediately stop implementation of the Prompt Asylum Claim Review (PACR) and Humanitarian Asylum Review Process (HARP) fast track asylum programs.
- Review Third country agreements with El Salvador, Guatemala and Honduras and the Secretary of State should consider suspending and terminating them.
 - NOTE: These agreements require that asylum seekers who passed through these countries apply for asylum there *and* be denied BEFORE being considered for asylum in the U.S.
- Asylum eligibility will be reviewed.
 - Special focus on “membership in a particular social group”, e.g. victims of gangs and domestic violence that Trump and his AGs said could not qualify for asylum.
- Explore new parole and reinstate family unification programs like the one for Central American minors.
- Review Trump’s expedited removal policy.
 - Specifically, Trump’s policy of making immigrants arrested anywhere in the country subject to expedited removal if they could not prove a 2 year presence is singled out for “prompt review” by Sec. Mayorkas.





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- Numerous Trump EOs, Memos and Proclamations are revoked. These led to the creations of various anti-asylum rules that must now themselves be rescinded by DHS.

[Topic: Family Immigration \(click here to read the EO\)](#)

Rolling Back the Attacks on Family Immigration:

- Section 1 (see Exhibit A for text) outlines the importance of immigrants and their families. The following must be done to help implement that truth:
 - Rescinding a Trump Memo that Compelled Repayment by Sponsors of Immigrants if Immigrants Receive Public Benefits ([affects those sponsoring family members, filing affidavits of support I-864](#)).
 - Creating a Task Force on New Americans, led by the Domestic Policy Council.
 - Directs the Departments of Homeland Security, Justice, and State to review all rules, including:
 - Prioritize Public Charge rule and require a report within 60 days.
 - Review USCIS fee increase rule within 90 days.
- Fortifying the naturalization process, including eliminating denaturalization policies.
 - Review naturalization process, streamline, eliminate barriers, consider reducing fees, review the lengthy and burdensome N-400 form.
 - Review denaturalization programs.
- Convene a Naturalization Working Group led by Sec. Mayorkas:
 - Promote naturalization including via a public awareness campaign.





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Exhibit A

From Biden EO - "RESTORING FAITH IN OUR LEGAL IMMIGRATION SYSTEMS AND STRENGTHENING INTEGRATION AND INCLUSION EFFORTS FOR NEW AMERICANS"

Section 1. Policy. Over 40 million foreign-born individuals live in the United States today. Millions more Americans have immigrants in their families or ancestry. **New Americans and their children fuel our economy, working in every industry, including healthcare, construction, caregiving, manufacturing, service, and agriculture.** They open and successfully run businesses at high rates, creating jobs for millions, and they contribute to our arts, culture, and government, providing new traditions, customs, and viewpoints. They are essential workers helping to keep our economy afloat and providing important services to Americans during a global pandemic. They have helped the United States lead the world in science, technology, and innovation. And they are on the frontlines of research to develop coronavirus disease 2019 (COVID-19) vaccines and treatments for those afflicted with the deadly disease.

Consistent with our character as a Nation of opportunity and of welcome, it is essential to ensure that our laws and policies encourage full participation by immigrants, including refugees, in our civic life; that immigration processes and other benefits are delivered effectively and efficiently; and that the Federal Government eliminates sources of fear and other barriers that prevent immigrants from accessing government services available to them. Our Nation is enriched socially and economically by the presence of immigrants, and we celebrate with them as they take the important step of becoming United States citizens. The Federal Government should develop welcoming strategies that promote integration, inclusion, and citizenship, and it should embrace the full participation of the newest Americans in our democracy.

