

The Movement for Immigrant Justice in 2021: Field Priorities, Strategies, and Needs

Insights and Recommendations for Philanthropy



GRANTMAKERS
CONCERNED
WITH IMMIGRANTS
AND REFUGEES

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INTRODUCTION

As our nation prepares for a Biden presidency, the urgent question of how thoroughly harmful immigration policies will be undone—or even if new humane alternatives will be implemented—remains an open one. This is an all-hands-on-deck moment. Immigrants, refugees, and asylum seekers have faced four years of relentless attacks and we've seen the decimation of key pillars of our immigration system. Community members, and the organizations that serve or are led by them, are eager for relief and new opportunities. Yet, despite the near-singular fixation of the Trump administration on inflicting harm on immigrants through the powers of the presidency and its executive agencies, Biden has not named immigration as among his top priorities. The four issues Biden has identified—COVID-19, economic recovery, racial equity, and climate change—are deeply relevant to immigrant communities, and his commitments to restore DACA, increase refugee admissions, and undo the so-called “Muslim Ban” are important. However, the immigrant justice movement demands more and will have to work above and beyond to ensure the immigrant perspective is included and considered in policy discussions on each of these top four issues. These priorities also highlight the importance of and opportunities for intersectional and multi-issue agendas—and movements—for systems and policy changes. The first 100 days of the Biden administration are critical to securing key immigration reforms, and philanthropy must play a pivotal role in supporting and resourcing the movement to successfully strategize, mobilize, and achieve a more just immigration system.

The following summary of the immigrant justice movement's priorities, strategies, and needs is informed by GCIR's conversations with movement leaders throughout the country. Key takeaways include the need for early, flexible, and sustained resourcing of the field in 2021. It is also essential for funders to recognize that many of the harms of the past four years will take equally long, if not longer, to undo.

KEY FINDINGS FOR PHILANTHROPY

Time is of the Essence:

President-elect Biden's transition is already underway, and leaders across all movements have been seeking to position their organizations and priorities for action early in the new President's tenure. Funders should make additional grants to existing grantees and support strategic new efforts through general operating support.

Flexibility and Trust is Key:

Building on the trust much of philanthropy placed in grantees in 2020 to pivot and redirect resources and priorities in response to COVID-19, funders should continue to trust in the leadership and creativity of their grantees to best respond to the challenges and opportunities 2021 presents.

Stability is Crucial: Movement leaders are looking for firm, multi-year commitments that will allow them the space to plan for the future, to experiment, and to meet unforeseen challenges head-on.

Grantee Wellness Needs Attention:

Funders must take a holistic view of grantees, taking into account how fear, burnout, and real risks impact organizational and individual wellbeing. Specific investments in the wellbeing and healing of these grantees will help refresh and strengthen the movement for the work that lies ahead.

Real Gaps Exist: Person-centric funders can invest in the legal and social services needed to accommodate policy reforms and pre-existing gaps, while systems-focused funders can invest in the training of movement organizations in digital organizing, communications, and narrative work.

With Power Comes Responsibility:

From educating and recruiting funder colleagues not yet investing in immigrant communities, to interrogating internal factors that limit such investments, to amplifying grantee voice and indeed leveraging its own voice in the public square, there is so much philanthropy can do now to help America embrace a multicultural and more equitable future.



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The Muslim Women's contingent at the 2019 Women's March demonstrating against the Muslim Ban and for women's rights. Washington, D.C., January 19, 2019.



Activists' signs express support for the immigrant community at a rally to protest President Donald Trump's decision to end DACA. Portland, Oregon, September 5, 2017.

IMMIGRATION REFORM PRIORITIES

While there are literally hundreds of policy directives, executive actions, rule changes, and legislative proposals that movement leaders would like to see advanced, they can generally be grouped into three categories: immediate relief, new opportunities, and local reforms. Immediate relief priorities are the steps Biden can take in the first days of his presidency to protect immigrants; new opportunities are focused on policy changes that could be achieved within the first 100 days to the first year of the new administration; and local reforms include a mix of offensive and defensive strategies at the municipal and state levels.

Immediate Relief

Securing the Right to Stay

The preservation of Deferred Action for Childhood Arrivals (DACA) and Temporary Protected Status (TPS)—something President-elect Biden has committed to—would immediately stabilize the lives of over one million immigrants as well as hundreds of thousands of their children and other family members.

Despite numerous bi-partisan legislative efforts to secure the future of DREAMers, it was not until the creation of [DACA](#) in 2012 that specific protections were provided to these young people. With a reprieve from the threat of deportation and U.S. work authorization, nearly 800,000 young immigrants were able to pursue work, education, and other goals. Despite broad popular support for DREAMers, the Trump administration sought to terminate the program in 2017, a move that, while temporarily blocked by the courts, has thrown the future of the approximately 650,000 current DACA holders into jeopardy. In addition, [TPS](#) offers temporary legal status to certain immigrants whose countries of origin are deemed unsafe to return to due to natural disaster, armed conflict, or other extraordinary and temporary conditions. As in the case of DACA, the Trump administration sought to end TPS for approximately 400,000 individuals from six countries, including El Salvador, Haiti, Honduras, Nepal, Nicaragua, and Sudan. Several of these countries have since been severely impacted by Hurricane Eta, making it even more difficult and potentially perilous for TPS holders to return to their countries of origin.

In addition to protecting these communities, immigrant justice advocates are seeking an immediate moratorium on **deportations**. Although the travesty of family separation

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A pregnant woman is carried out of an area flooded by water brought by Hurricane Eta. Planeta, Honduras, November 5, 2020.

at the border was perhaps the most visible display of the nation's increasingly predatory immigration enforcement apparatus, families continue to be torn apart through expedited removal, workplace raids, inadequate legal representation, and other policies and practices. Given the time and complexity entailed in reversing the damage done to the nation's immigration laws, the goal of a moratorium is to prevent further harm from being done while the system is reset and rebuilt. President-elect Biden voiced support for a 100-day deportation moratorium; advocates will likely seek an extension of a moratorium until a new system is in place, while others are in fact seeking a return of individuals previously deported.

Restoring the Ability to Enter

In addition to jeopardizing the ability of immigrants within the United States to remain in their communities, many of the changes rolled out in recent years were designed to severely restrict the ability of immigrants to enter the United States. The first and most notable example of this under the Trump administration was the “**Muslim Ban**,” of which multiple versions were struck down by multiple courts until the Supreme Court allowed the ‘3.0’ version of the ban to stand, which, in addition to restricting travel to the U.S. from five predominantly Muslim countries (Iran, Libya, Somalia, Syria, and Yemen), added a small number North Koreans and certain Venezuelans.

In addition to seeking to bar entry to individuals from Muslim-majority nations, the administration took dramatic steps to reduce refugee admissions to the United States. In the first year of the Trump administration the refugee resettlement cap was more than halved to just 50,000—the lowest number of **refugee admissions** allowed since the cap was first introduced in 1980. Each year since then, the administration has further reduced the cap, with 2021's level of refugee admissions set at just 15,000.

Restoring legal entry to the United States by raising the refugee admission ceiling and repealing the Muslim Ban are key priorities of immigrant justice advocates, and are also commitments the incoming Biden administration has made. While rolling back other restrictions on legal immigration through the asylum system is also a major priority for the movement, most advocates acknowledge that meaningful progress toward this objective will be more difficult to quickly achieve than the two goals mentioned above.

Addressing COVID-19's Disproportionate Impact

With a third wave of COVID-19 hitting communities across the country and the tally of those infected numbering more than 12 million, addressing the impact of the pandemic remains a top priority in immigrant communities. Data has clearly demonstrated the disproportionate impact of the virus on Black and brown communities, including immigrants in essential roles including farm work, food processing, health care, maintenance, and warehouse work. In addition to the risk of being exposed to the coronavirus, the wellbeing of many immigrant households was further jeopardized by Congress' exclusion of undocumented workers and their families from CARES Act relief. This exclusion, combined with the pre-existing bar on access to unemployment benefits, meant that an estimated five million undocumented individuals have been laboring in essential roles without a safety net. Others were hard hit by layoffs, including those working in the hospitality and restaurant industries.

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Priorities for any **COVID-19 relief** package under the Biden administration include sufficient access to personal protective equipment and priority access to vaccinations for essential workers, inclusion of undocumented individuals in cash assistance, pathways to legalization for undocumented essential workers, and eviction prevention and rent relief.

New Opportunities

Legalization Pathways

Among the key priorities of the immigrant justice movement is that a pathway to citizenship be forged for the estimated 11 million undocumented individuals living in the country. While there are varying perspectives on how this might best be achieved—for instance a pathway for essential workers, or naturalization for DACA and TPS holders, or simply wholesale relief for the entire undocumented population— there is concern within the movement that a political compromise may leave behind subsets of the community. DACA holders in particular have been vocal over the years about the need for a solution that does not only protect them, but is also inclusive of their parents.

Similarly, for many immigrants already in the country, a compromise that restricts the future flow of immigrants or asylum seekers into the U.S. and/or includes unnecessarily punitive enforcement measures would be unsatisfactory. Ultimately, the breadth of any legislative relief will likely hinge on the final composition of the U.S. Senate, which will be determined by the January 2021 runoff elections in Georgia.

Systems Reform

Beyond legalization, the immigrant justice movement sees structural overhaul of the entire immigration system as a top priority. The broad range of priorities held by different segments of the movement include rebuilding the asylum and refugee systems, increasing the capacity of the immigration court system to process the backlog of over one million cases, restoring USCIS to a customer-service orientation, and improving accountability within the Department of Justice (DOJ) and Department of Homeland Security (DHS) (in fact, some are seeking the abolishment of DHS's Immigration and Customs Enforcement (ICE) agency). Movement leaders will also seek the release of individuals in detention at risk of COVID infection as well as an overall increase in the usage of

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Forty-eight immigrants from twenty countries took part in a naturalization ceremony at Tom McCall Waterfront Park, Portland, Oregon, May 5, 2016.

alternatives to detention, excepting profit-based ankle monitoring technology. As there are growing, credible demands for mass decarceration and alternatives to policing in criminal justice systems, immigrant justice advocates can both support these demands as well as link them to their own efforts to reform immigration enforcement and detention policies. Further, hundreds of rule changes made by the Trump administration have dramatically shaped how the immigration system operates and are targets for reform by advocates. From ending the Migrant Protection Protocols, also known as the “Remain in Mexico” policy, to undoing new public charge rules, to expanding visa opportunities and the reunification of still-separated families, the incoming administration will be called on to utilize its executive powers to hasten these types of reforms while longer-term legislative solutions are negotiated with Congress.

Integration

While much energy in 2021 will be directed toward creating opportunities for legal relief, policy groups and service providers are also thinking about how to provide immigrants, refugees, and asylum seekers the best chance for successful integration. The introduction of the concept of “essential workers” during the COVID-19 pandemic has created an opening for broader discussions about the labor market and worker rights. Combined with existing efforts to address immigrant needs within the global “future of work,” workforce proponents will be driving inclusive policy solutions forward. These solutions will cover both sides of the ledger: on one, policies focused on skill-building, credentialing, and labor-market partnerships; on the other, a focus on issues including worker exploitation and wage theft, worker rights within a gig economy, and health and safety protections. Lifting up the economic contributions of immigrants and immigrant entrepreneurship will continue to be important narratives but need to be nuanced with the continued economic dislocation and contraction in manufacturing, mining, farming, and many other economic sectors, now further exacerbated by the economic recession caused by COVID-19.

Alongside these workforce reforms will be efforts to expand access to educational opportunities. From facilitating the success of English language learners in elementary, middle, and high schools, to eliminating barriers to post-secondary education for undocumented young adults, to providing culturally competent adult literacy programs, educational equity will be an essential part of immigrant integration strategies. The existing gap in access to English language programs in particular will likely be exacerbated if legalization pathways are expanded, increasing the number of adults in need of literacy and civics classes.

Local Reforms

Although movement leaders are cautiously optimistic about advancing some level of pro-immigrant reform at the national level, significant concern exists among regional groups in areas where anti-immigrant sentiment remains strong. Though immigration is a matter of federal law, states can either speed or slow implementation of policies. For instance, states can and do differ in allowing DREAMers to attend college and receive financial aid. Similarly, funding for immigrant legal services, English language classes, and other key programs varies significantly by jurisdiction. Movement leaders in the Southeast in particular worry about an anti-immigrant backlash in the form of state and local laws if advances toward immigrant justice are made at the national level. Examples from recent years include Texas’ attempt to refuse refugees for resettlement, increases in local 287(g) agreements, and legislation in Tennessee that would have required doctors, nurses,

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Policy discussions will include worker rights in a gig economy.



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Legislation in Tennessee would have required hospitals to verify the immigration status of parents when obtaining a child's birth certificate. Guarding against a regional patchwork of immigrant protections will be an ongoing priority.

and hospitals to verify the immigration status of parents when obtaining a child's birth certificate. Holding the line against these policies and guarding against the emergence of a patchwork of immigrant protections by region will be an ongoing priority. Regardless of geography, immigrant justice organizations are also concerned about and are taking precautions to protect against hate-based attacks on their communities, staff, physical organizations, and digital platforms.

In states and localities that have been historically friendly to immigrants—including in pockets of otherwise “unfriendly” states—advocates plan to continue advancing new benefits and protections. Examples include efforts in Pennsylvania to create drivers licenses for non-citizens, the Colorado campaign to establish a universal immigrant legal representation program, and work to expand California's Medi-Cal program to all residents regardless of immigration status. In addition, as states pursue their own COVID-19 relief strategies advocates will push for explicit consideration of the needs of immigrants, such as mobile COVID-19 testing sites for agricultural workers in remote regions, translation of key resources into various languages, and early access to a vaccine in disproportionately impacted communities.

MOVEMENT STRATEGIES

Just as philanthropic stakeholders advance varied theories of change, so too have immigrant justice leaders offered a range of ideas on how to best effect change on immigrant issues in 2021 and beyond. From direct engagement with Biden's transition team, to grassroots organizing, to narrative change work, a broad cross-section of approaches is in various stages of development and deployment.

Civic Engagement and Collective Action

Immigrants and their U.S.-born children represent roughly 28% of the overall population, numbering approximately 90 million people. Ensuring that this community has the

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ability to engage and be represented in American civic life is a top priority for movement leaders. Attempts in recent years to exclude undocumented immigrants from the census have highlighted the need for immigrants to exercise their voice and power. Many of the organizations that led census outreach efforts in immigrant communities in 2020 will build on that work in 2021 as redistricting and representation questions come into sharp focus. A considerable number of these organizations also plan to participate in the burgeoning pro-democracy campaigns that have gained steam as a response to the Trump administration's attacks on our country's fundamental values and core institutions. Further, to the extent permitted by their tax status, many organizations will be engaging in the 2021 and 2022 election cycles at the local, state, and federal level, and will be incorporating electoral strategy into their organizing strategies.

Beyond building and exercising power over the mid and long term, collective action in 2021 will be a cornerstone of the immigrant justice movement. With such issues as COVID-19, racial justice, and climate change at the center of President-elect Biden's stated agenda, an uncertain balance of power in Congress, and the already contentious nature of the immigration debate, immigrant organizations will be hard pressed not only to secure early wins, but also to maintain pressure and sustain political will over time to secure more comprehensive and durable legislative reforms. Phone banking, digital organizing, storytelling, mass mobilizations (COVID-19 permitting), intersectional coalition work, and media campaigns will all be key elements of the fight to realize a more humane and welcoming policy landscape for immigrants and their families.

Narrative Change

Perhaps more than anything, the beliefs and attitudes held by the public and decision makers will determine the success or failure of proposed immigration reforms. This knowledge is informing the strategies that will be employed by the movement in the months and years ahead. Broadly speaking, these strategies are either intended to compel action based on the assumption of shared pro-immigrant positions, or to generate shifts in attitudes among less common or "unlikely" allies. For some organizations, this will mean relying on traditional trusted messengers to activate the community and friendly media. For others it will mean crafting and delivering messages that appeal, for instance, to evangelicals, business leaders, and law enforcement. Yet others will engage in "deep canvassing"—a strategy of holding meaningful one-to-one conversations with those who hold opposing opinions, listening carefully and empathetically, and exchanging personal stories.

In all instances, the narratives, messaging, and communications strategies employed by immigrant justice organizations will speak to their philosophy, constituency, and geographic and political realities. These efforts will all be translated and adapted to digital mediums in response to the ongoing realities of COVID-19 social distancing protocols. Movement leaders will also carefully consider opportunities for authentic intersectional messages that reflect shared challenges across, for example, Black, indigenous, and immigrant communities, as well as across movements, including the climate and criminal justice reform movements.

Service Provision

Whatever policy reforms are realized at the national, state, or local levels in 2021, the reality is that immigrant serving organizations will play a key role in ensuring that their communities continue to receive high-quality services and supports. In many instances, those supports will speak to existing health, housing, education, workforce, and case management needs—in others they will be responsive to new opportunities to pursue immigration relief or refugee resettlement. Given the existing backlog of both affirmative



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and defensive immigration cases, the reality of an ongoing detention system, and the potential for new avenues of legal relief, establishing new legal services and scaling up the existing legal services infrastructure is also a top strategy.

RECOMMENDATIONS FOR PHILANTHROPIC ACTION

Despite the varied geographies, strategies, and capacities of immigrant justice organizations, several key themes for philanthropic action emerge:

Time is of the Essence

President-elect Biden's transition is already underway, and leaders across all movements have been seeking to position their organizations and priorities for action early in the new President's tenure. Immigrant justice organizations need to be a part of this early work and cannot afford to wait until after the inauguration to act. In order to develop detailed policy proposals, marshal Congressional support, prepare for mass mobilizations, craft communications campaigns, and develop systems of community support, organizations need resources now to have the best shot for success in 2021. There is significant fear that if philanthropy withholds new and meaningful investments at this pivotal moment, it will hamper the movement's efficacy in the short and long term. *Funders should make additional grants now to existing grantees and support strategic new efforts through general operating support.*

Flexibility and Trust is Key

The lesson of 2020 was that nothing is predictable and that adaptability is essential. Looking ahead to 2021, advocates do not expect reform efforts to be linear and without hiccups. There will be an ongoing need to reevaluate strategies, capacities, and timelines. *Building on the trust much of philanthropy placed in grantees in 2020 to pivot and redirect resources and priorities in response to COVID-19, funders should continue to trust in the leadership and creativity of their grantees to best respond to the challenges and opportunities 2021 presents.* Core operating support and relaxed reporting requirements will go a long way toward this end.

Stability is Crucial

A significant fear among field organizations and immigration funders alike is that foundation support will decline as a result of the election of President-elect Biden. Although Biden has struck a much more positive tone towards immigrants, not only are there significant barriers to meaningful reform, but the harm wrought by the Trump administration will reverberate for at least a generation. *It will require sustained investment over time to help immigrant communities recover, heal, and thrive. Simply undoing the hundreds of harmful policy changes will take years. Shifting overall public sentiment will take longer still. Managing the trauma inflicted by family separation will take a lifetime.* The best way for funders who made crisis-response grants in recent years to capitalize on those investments is to find ways to support efforts now to head off future crises. *Movement leaders are looking for firm, multi-year commitments that will allow them the space to plan for the future, to experiment, and to meet unforeseen challenges head-on.*



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At a Day of the Dead gathering to commemorate victims of state violence, a couple holds a memorial photo of Felipe Gomez Alonzo, a child who died of the flu while in US custody. New York, October 31, 2020.

Grantee Wellness Needs Attention

While COVID-19 bore heavily on all communities in 2020, and in particular on communities of color, for immigrant-led and serving institutions COVID-19 was nearly the straw that broke the camel's back. The Trump administration's preeminent domestic policy goal over the last four years was demonizing immigrant communities and using executive authority to devastate immigrant families and communities. Due to the administration's pattern of criminalizing migration and diverting congressional funds to border wall construction, spouting hateful rhetoric aimed at Black immigrants, instituting a first ever fee-for-asylum application, slashing refugee admissions, and establishing an immigration wealth test through a revamp of the public charge rule, immigrant justice organizations have had to respond on a near-daily basis to complex, shifting, and punitive policy actions. In response, advocates and service providers have been working overtime on know-your-rights trainings, litigation, direct representation, and advocacy efforts in a toxic environment that required a near-constant fight.

In addition, the rise in white-nationalism, anti-Blackness, xenophobia, and militia movements has put staff and community members in the crosshairs of hate attacks online and in person, with the 2019 El Paso shooting just one example. *Funders must take a holistic view of grantees, taking into account how fear, burnout, and real risks impact organizational and individual wellbeing. Specific investments in the wellbeing and healing of these grantees will help refresh and strengthen the movement for the work that lies ahead.*

Movement leaders are looking for firm, multi-year commitments that will allow them the space to plan for the future, to experiment, and to meet unforeseen challenges head-on.

Real Gaps Exist

Even in the instance of successful national and state-level reform efforts, facilitating their successful implementation will require strategic investment in infrastructure development. From managing the complicated logistics of standing up a humane and orderly response to increased asylum claims at the border, to rebuilding the refugee resettlement system, to scaling community supports necessary to accommodate alternatives to detention, to developing the next generation of movement leaders, there is no shortage of opportunities for funders to get involved, regardless of their institutional theory of change. *Person-centric funders can invest in the legal and social services needed to accommodate policy reforms and pre-existing gaps, while systems-focused funders can invest in the training of movement organizations in digital organizing, communications, and narrative work.* There truly is no wrong door for funders committed to equity to resource the immigrant justice movement in 2021—this is an all-hands-on-deck moment. Funders should talk with their grantees to understand where they see critical gaps and needs, and, for foundations currently not invested in this space, connecting to local immigrant leaders to understand needs is a key first step. GCIR is also available to provide technical assistance.

With Power Comes Responsibility

As much of the country reckoned with race and inequality over the last year, philanthropy's own introspection into its history, relationship to marginalized communities, and responsibility to evolve has deepened. Beyond making meaningful investments to help realize a more equitable and inclusive America, foundations and philanthropic leaders hold significant sociocultural capital that can and should be deployed in service of the greater good. *From educating and recruiting funder colleagues not yet investing in immigrant communities, to interrogating internal factors that limit such investments, to amplifying grantee voice and indeed leveraging its own voice in the public square, there is so much philanthropy can do now to help America embrace a multicultural and more equitable future.*

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TO LEARN MORE

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