

Written Testimony of Leon Rodriguez
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Before the Hearing of the Committee on the Judiciary
on the
H.R.6, American Dream and Promise Act of 2021
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Chairman Durbin, Ranking Member Grassley, esteemed members of the Committee:

I sit before you today first and foremost as the grateful son of immigrants from Cuba who sought and were granted refuge here in the U.S., and in part as a grandson who never met his maternal grandfather because he died in his mid-50's before he could make it to the U.S. My grandfather was an advocate on behalf of refugees fleeing Europe during World War II and on behalf of others seeking to leave Cuba for the U.S. after Castro's dictatorship made life there untenable. He is one of my inspirations and through the example of his life story, a mentor. I also sit before you as former state and federal prosecutor, who has learned through on the ground experience, of the importance of making wise choices about how we prioritize the use of enforcement resources.

As this committee gathers to consider whether to move forward H.R.6, the American Dream and Promise Act of 2021, I take this opportunity to share a few lessons that I learned as a prosecutor, in my service as director of USCIS, and now as a law firm partner working with U.S. businesses seeking to optimize their pipeline of talent.

Most important of these lessons is that an enforcement-only approach to the situation of the long-term undocumented in the U.S. is unworkable, contrary to the interests of the American people, and an abandonment of our shared values. The DACA program has now been in effect for nine years, and has enabled more than 800,000 young people to work, study, build families and generally contribute to U.S. society. While there have been mistakes (that were corrected and/or addressed), the DACA population has been overwhelmingly law-abiding, economically productive and successful. Their contribution to the U.S. economy has been well-documented, as has been the potential detriment of their exit from the economy as workers and consumers. Along with the success stories we are hearing this morning, there are countless others.

The USCIS DACA processing operations that I oversaw were designed to effectively deny access to the program to those who had been engaged in criminal conduct or any other way showed themselves unworthy of participation under the DACA policy, and successfully did so time and again. I have every reason to think that that is no less true now than it was when I served as director.

DACA, however, has always been recognized as merely a stopgap measure, and I am here today to say that we are well past the time to implement a durable solution to the situation of the dreamers that enables them to fully contribute to U.S. society and to realize the full potential that follows from their having been educated in the U.S.

Similar equities apply to the populations now here under Temporary Protected Status. While many may have believed that when they were first granted TPS that they would one day return to their countries, their lives and more importantly their children's lives have now become established here and like the Dreamers, they have become a productive and law-abiding part of our society.

I have great confidence in the ability of USCIS to address the caseload that will flow from the Act's passage, including taking all necessary steps to ensure that each candidate is thoroughly screened to ensure that those who threaten public safety or national security do not win undeserved immigration benefits. This will be true at all stages in the process right up to moment that they are sworn as U.S. citizens.

I am also confident that USCIS has the capability to effectively process the rest of its caseload including temporary protected status requests, refugee and asylum applications, employment-based visas, green cards, naturalization, millions of cases each year. I have never been reticent about my admiration for the USCIS workforce; they represent the best of public service -- professional, faithful to law and filled with can-do spirit.

I have often said that every immigration file tells the story of a family seeking refuge from oppression or seeking a better future. Further delay in settling upon a path to citizenship for large groups of productive, hardworking people most of whom have been for quite a while, is no longer acceptable – it is time to conclude the debate and settle upon a solution. Legislation like HR 6 is our way to stop missing opportunities to give full breath to the talent and energy that is right next to us and to stop mis-spending our resources on enforcement-only approaches that don't work.