

# Citizenship Act of 2021 Information Session



MARCH 2021

# ICE BREAKER

- What was the last show/movie you watched?

# Agenda

## **What we will cover**

- 01 **Context**
- 02 **What the bill says**
- 03 **What it means**
- 04 **Where we are**
- 05 **Expectations**
- 06 **Questions**

# Context

## How Immigration is Framed

Immigration as related to:

- Fear of the 'Other'
  - Motivated by racialized, sexist, anti-gay/trans sentiments etc...
- Prioritization of Wealth Building (Capitalism)
  - Any and all means to uphold divisions in property/space/resources
- 'Compromise' = Concessions
  - Long-term strategies used to maintain status quo

## We have been here before.....

- 35 Years since last immigration reform
- DREAM Act introduced 20 yrs ago, various versions introduced since = nothing passed



# What the bill says

# What It Says

## BASICS

- Changing Terminology when referring to human beings

**WORDS MATTER**

Seems very simple..... but it is a small win

- Words can change the narrative and help combat "fear of the other"
- Laws should reflect basic human respect
  - Alien/ Illegal v. Non- Citizen

# General Structure

**The bill creates an 8 Year pathway to citizenship**

**The bill is broken into parts addressing different Populations**

11 Million Undocumented = Lawful Prospective Immigrant Status

DACA Receptients = DREAM Act

Temporary Protected Status (TPS) Holders = American Promise Act

Arigculture Workers = The Agricultural Workers Adjustment Act

# General Structure

## PATHWAY TO CITIZENSHIP

- For 11 million undocumented folxs in the U.S

## Presence Requirement

- Applicants must be physically present in the United States on or before January 1, 2021

Dreamers, TPS holders, and immigrant farmworkers

## Exception

Deported on or after January 20, 2017 who were physically present for at least three years prior to removal for family unity and other humanitarian purposes.

Temporary Legal Status

After 5 Years + Background Check + Taxes

Green Card

After 3 Years + Background Check+ English and U.S. civics

Citizenship



# What it Means for the 11 million

## Temporary Legal Status

The bill creates a "new immigration status"

## Lawful Prospective Immigrant Status (LPI)

### What is needed to apply for this status?

#### Requirements:

- 1) Meets certain requirements including criminal/security checks
- 2) Application and fee

#### Benefits

- 1) Renewable for 6 yr period
- 2) Work Permit
- 3) Ability to travel outside the U.S (for up to 180 days)
- 4) SS Number
- 5) Able to join armed forces

# What it Means for the 11 Million

## **Green Card**

After at least 5 years of Lawful Prospective Immigrant Status one can apply for a green card.

## Lawful Permanent Residence (LPR)

### **Requirements**

- 1) Still eligible for LPI status
- 2) 5+ years of LPI status
- 3) Not be absent for more than 180 days
- 4) All federal taxes paid
- 5) Background checks + fees + submit application

### **Benefits**

Apart from voting, almost all the rights that a US citizen

# What it Means for DREAMers: DREAM Act

## Green Card

DACA recipients could apply for a Green card. No need to apply for Lawful Prospective Immigrant Status first.

## Requirements

- 1) Younger than 18 when entered the U.S
- 2) H.S./G.E.D Diploma
- 3) College degree **OR**
  - 2 yrs in Armed Services **OR**
  - Honorably discharged **OR**
  - Earned income for at least 3 years working at least 75% of the time the person had valid work permit
- 4) Registered for Selective Service **if** required.

## Benefits

- 1) Streamlined process for DACA recipients.
- 2) If you did not meet DACA requirements but meet requirements above you should be able to apply as well.
- 2) Spouses and children of eligible applicants can also adjust

# What it Means for TPS Holders: American Promise Act

## **Green Card**

**TPS and Deferred Enforcement  
Departure recipients  
could apply for a  
green card. No need to  
apply for Lawful  
Prospective Immigrant  
Status first.**

## **Requirements**

- 1) Meets certain requirements including criminal/security checks
- 2) Application and fee
- 3) In the U.S since January 1, 2007
- 4) National of a foreign state, or last habitually resided in such foreign state, with a TPS/DED on 1/1/2017
- 5) Spouses and children are eligible

## **Benefits**

- TPS recipients are considered “inspected and admitted to the US” making it possible to adjust status.

# The Agricultural Workers Adjustment Act

## Green Card

Agricultural Workers, could apply for a green card without having to apply for Lawful Prospective Immigrant Status first, if they meet the criteria.

### Requirements

- 1) Meets certain requirements including criminal/security checks
- 2) Application and fee
- 3) during the 5-year period immediately prior to applying must have performed agricultural labor or services for at least 2,300 hrs or 400 work days

### Benefits

- 1) Spouses and children are eligible (no work requirement)

# Things to Consider

## **Ineligibility**

1. Criminal Grounds ( Talk to an attorney)
2. Presence Requirement. A person is not eligible if they were
  - a. outside the US on 1/1/2021



## **Documentation**

- Burden on applicant to prove
  1. Identity
  2. Physical presence (Important to keep good records)
- While an application is pending, DHS may authorize advance parole
- DHS may not use information provided in an application for enforcement purposes
- If bill passed, USCIS will have a year to come up with a system to process applications.

# Changes to Family Sponsorship

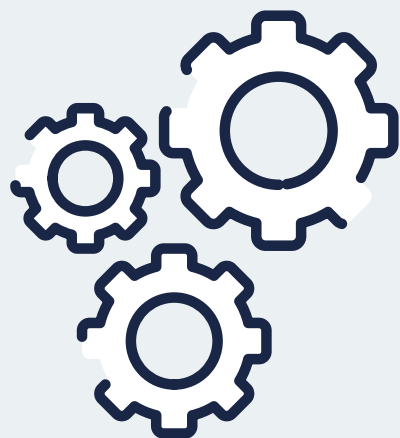
To increase efficiency, the bill proposes to do the following;\_

Clear backlogs

Increase visas per country

Identify any unused visas

Provide a Temporary Status for family members with approved family petitions



The Immigration Act of 2021 is not a law.

It first needs to go through Congress.



# WHERE DO WE GO FROM HERE

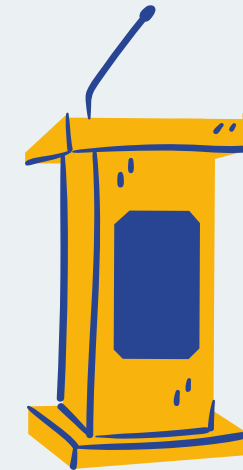
Wait for the bill to become a  
law .....

How does a bill become a law?



## COME UP WITH AN IDEA FOR A BILL

*The immigration reform proposal  
presented by President Biden*



## A MEMBER OF CONGRESS INTRODUCES A BILL

*A bill is introduced in the Senate  
or the House of Representatives*



## THE BILL IS REVIEWED AND DEBATED BY THE SENATE

*A committee in the Senate discuss  
the pros and cons of the bill. Then  
the entire Senate debates the bill.  
At this point changes can be  
made.*

# HOW A BILL BECOMES A LAW CONT.

As you can see, there are many revisions and concessions during this process.

What we start with is not necessarily what we end with. The requirements and benefits mentioned above many change.



## THE BILL IS REVIEWED AND DEBATED BY THE HOUSE

*If passed to the House of Representatives the bill is debated and further changes can be made.*

## MORE REVISIONS

*If the House of Representatives approves the bill, it goes back to the Senate for more debate until both agree on the bill's wording.*

## THE PRESIDENT SIGNS OR VETOS THE BILL

*If the president signs the bill, it becomes a law. If the president does not approve they can veto the bill. Congress can override the veto with a 2/3 vote.*

# Likelihood the Bill will Pass

## **It will be Difficult**

10 Republican votes needed to proceed in the Senate

## **There already has been push back**

In the eyes of Republicans the bill is an incentivize for "illegal immigration and promote(s) an unending flood of foreign nationals into the United States"

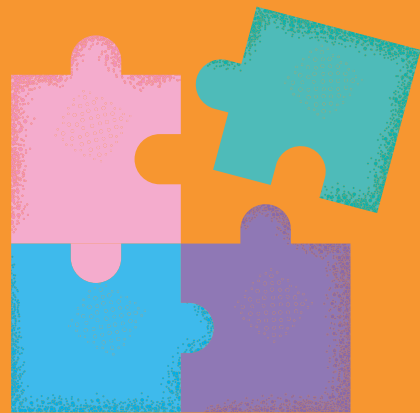
## **Beware of Compromise w/ Security Measures**

Compromise usually means increased militarization of border and interior enforcement supported by Republicans. This results in further criminalization of immigrants, detention, and seperation of children.

# Other Possibilities

## **Break up the Bill into parts**

- Lawful Prospective Immigrant Status
- The DREAM Act
- The American Promise Act
- The Agricultural Workers Adjustment Act.



**Starting with a piece that has larger nationwide support like the DREAM Act**

# QUESTIONS

# Keep in touch

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