Citizenship Act of 2021 Information Session
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

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 Recipients = DREAM Act

Temporary Protected Status (TPS) Holders = American Promise Act

Agriculture Workers = The Agricultural Workers Adjustment Act
General Structure

**PATHWAY TO CITIZENSHIP**
- For 11 million undocumented folks in the U.S

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

**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**
- Dreamers, TPS holders, and immigrant farmworkers
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 then 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.
3) 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 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.
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 separation 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
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