



IMMIGRANT LEGAL ADVOCACY PROJECT

## CALL YOUR SENATORS TO SUPPORT THE IMMIGRATION BILL S. 744

On June 10<sup>th</sup> the Senate is expected to begin debate on S.744, the *Border Security, Economic Opportunity, and Immigration Modernization Act of 2013*. **This is the time to let your senators know how crucial it is that we have comprehensive immigration reform this year!** The Bill makes important changes to our broken immigration system; it:

- provides legal status and a path towards citizenship for 11 million people who are already part of our community and economy;
- improves our asylum laws to give better protection to those who flee persecution;
- aims to remove backlogs and makes changes to reflect the importance of family immigration and the realities of our economy; and
- provides more due process and makes improvements to better meet humanitarian and human rights standards.

*When you call your Senators to encourage them to support Comprehensive Immigration Reform, tell them you oppose any changes to the bill that would cut away at these important provisions. If the law would affect you, your family, or a friend directly, tell your Senators about the impact it will have on your lives.*

ILAP supports this historic immigration bill, but there remain areas of concern that must be addressed as the legislation moves through the Senate. Below is a brief **summary of some of the provisions we support and oppose.**

### **WHAT IS GOOD ABOUT THE BILL?**

- **LEGAL STATUS WITH A PATH TO CITIZENSHIP:** A legalization program will allow qualifying individuals to apply for a temporary RPI (registered provisional immigrant) status that permits them to live, work, and travel in the U.S., and is renewable after six years. After ten years, someone with RPI status can apply for permanent resident “green card” status if certain requirements are met, and they can apply for citizenship three years later. There is a quicker path to permanent residency for some agricultural workers and “DREAMers,” certain individuals who came to the U.S. as children.
- **IMPROVEMENTS TO REFUGEE AND ASYLUM LAWS:** The bill removes the current one-year filing deadline for asylum, allowing those who do not learn about asylum laws or who are unable to prepare their applications during their first year in the country to seek protection. The bill also improves family reunification by allowing those who came to the U.S. through refugee or asylee spouses or parents to bring their children.
- **IMPROVES DUE PROCESS AND GIVES MORE DISCRETION TO JUDGES AND IMMIGRATION OFFICERS:** Increased funding for more immigration judges and court staff will reduce current years-long backlogs. Certain vulnerable individuals will qualify for court appointed attorneys, and changes to the detention system will improve fairness and save the governmental expense of costly detention for those with civil immigration charges, by increasing alternatives to detention, providing more information to detainees, and improving bond hearings. Judges and immigration officers will be given more discretion in some cases so that they can consider factors of humanitarian, family, and national interest in their decisions.

- **REMOVAL OF BACKLOGS FOR FAMILIES:** The waiting periods and backlogs for some family members will decrease. Spouses and minor children of permanent residents will no longer have to wait years before their families can be together in the U.S.
- **ADDITIONAL WORKER VISAS WITH LABOR PROTECTIONS:** Additional visas will be available for those in highly skilled, low-tech, and agricultural fields. Visa availability will depend on demand for jobs, and will require fair treatment of U.S. and foreign-born workers.

## **WHAT IS BAD ABOUT THE BILL?**

- **SOME PARTS THAT WILL HURT FAMILIES:** U.S. Citizens will no longer be able to bring their married children over thirty, or siblings, to the U.S. Although some provisions will improve laws for families, the overall number of visas for family members will go down in order to accommodate more visas for workers. We support more worker visas, but not at the expense of families. Immigration does not have to be a zero-sum game.
- **LEGALIZATION RESTRICTIONS THAT AFFECT WOMEN AND FAMILIES:** Those who qualify under the legalization program cannot bring spouses or children who are outside the U.S. This means they will endure a more than ten-year separation before they obtain permanent resident status and can bring their families here.
- **E-VERIFY:** All employers will be required to use E-Verify, a computerized database to verify employment authorization for all employees, including U.S. Citizens. All workers will have to present a U.S. passport, immigration document, or driver's license exactly matching their photo in the E-Verify database. Significant risk of inaccuracy, privacy issues, and restrictive procedures for addressing errors affecting U.S. citizens and noncitizens alike are of grave concern.
- **NEW GROUNDS FOR DEPORTATION WITHOUT DISCRETION:** There will be new ways someone can get deported or be denied admission to the U.S. Three OUI convictions would be an "aggravated felony," leading to automatic deportation in most cases, without letting an immigration judge consider humanitarian, family, or mitigating factors.
- **BARRIERS TO THE LEGALIZATION PROGRAM:** Nobody can apply for RPI status under the legalization program until certain border security "triggers" are met. Those with RPI status will not be able to apply for permanent residency until additional security measures are in place, including compliance with E-Verify, and a ten-year time period has passed. The Bill also prevents individuals with three misdemeanors or a felony from applying for RPI status; this could preclude people with convictions for driving without a license, a common offense in a rural state such as Maine where those who are undocumented cannot apply for a driver's license, but realistically must drive.
- **ASYLEES AND REFUGEES CAN LOSE STATUS IF THEY TRAVEL HOME:** Asylees and refugees who travel home, even years later for short trips, could lose their status.

### **Call Maine's Senators:**

Senator Susan Collins: 202-224-2523

Senator Angus King: 202-224-5344

*ILAP will continue to follow the comprehensive immigration reform bill through the legislative process and we will advocate for provisions that can modernize our immigration system while supporting family unity, human rights, and fairness. You can check our website for updates and advocacy information at [www.ilapmaine.org](http://www.ilapmaine.org).*