

## EMPLOYER



### Your path

All U.S. employers will be required to use e-Verify, a federal database, to check the status of all potential employees. More visas available to hire agricultural workers, low-skilled workers and high-tech workers.

### How to get there

The new W visa means that employers who can certify a shortage of U.S. workers to fill positions can hire temporary immigrant workers. New protections for workers mean that employers will not be able to intimidate workers or mistreat immigrants.

### Timeline

Within 5 years, all employers will be required to use e-Verify.

### Cost

\$1750 - \$3500 per registered position, depending on the size of the company. Employers who hire unauthorized workers or fail to check e-Verify once it is implemented will face heavy fines. Employers with high numbers of H-1B visas will have to pay fees and higher salaries.

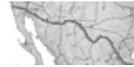
## SAME-SEX COUPLES



Same-sex couples are still not recognized under federal law (because of the Defense of Marriage Act), even if they are married or in civil unions under state law.

The bill omitted married gay and lesbian binational couples, leaving out the Uniting American Families Act. The exclusion leaves an estimated 40,000 foreign nationals caught in limbo because the federal Defense of Marriage Act (DOMA) does not provide spousal benefits to same-sex couples.

## PEOPLE IN BORDER STATES



### Your path

The bill's increased resources for the border will mean more military-type personnel and weapons, more surveillance, and a greater federal law enforcement presence in states near the border with Mexico.

### How to get there

Currently, the bill includes \$6.5 billion for increased border security, including more drones and a bigger fence.

## FARM WORKERS



### Your path

Farm workers who have been working in the U.S. get a fast path to legalization. This is called "blue card status."

### How to get there

Must apply within the one year application period that will be established. Must have worked in agriculture for 100 days or 575 hours during 2011-2012, or be the spouse, child or family member of a farm worker who meets this requirement. Farm workers must continue to work in the agriculture sector for 3-5 years after the bill passes.

### Timeline

Can apply for blue card status as soon as application period starts, but the application period will close after one year. After 5 years, a person with a blue card gets permanent resident status, as long as he or she was working in agriculture (or is the spouse or child of a farm worker).

### Cost

There is a processing fee, but it has not been set.

## PEOPLE WANTING TO COME ON A VISA



### Your path

Apply using the new merit-based point system, or qualify under family, student, employment, or other existing visa programs.

### How to get there

No more visas for siblings and no more diversity lottery. New merit-based visa uses a point system. Points are awarded for:

- Level of education
- Employment history
- Community service
- Knowledge of English
- Family ties
- Special skills

Other family-based and employment-based visas still exist.

### Timeline

Wait depends on visa type and backlog.

### Cost

New merit-based visas cost \$500. Other visas cost \$500 to \$1500.

## WHAT IMMIGRATION REFORM COULD MEAN FOR YOU



Dreamers



Undocumented immigrants



Temporary workers from abroad



Employers



People wanting to come on a visa



Farm workers



People in border states



Same-sex couples



Allies or U.S. citizens

Congress is currently debating a historic bill that would overhaul many parts of our current immigration law. It would create new pathways to legalization for many people, while ending some of the paths that exist today. The bill will likely change as it is debated.

**If the bill were passed into law as it stands today, these are the top nine paths to legal status in the United States.**

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## DREAMERS



### Your path

Young people who came to the U.S. as children (“Dreamers”) are on a fast track to becoming U.S. citizens. Dreamers will first get a provisional legal status, and after 5 years can become legal permanent residents on the road to citizenship.

### How to get there

If you came to the U.S. before the age of 16, graduated from high school (or received a GED) in the U.S., and attended at least two years of college or served four years in the military, you are eligible for an expedited road to citizenship, as long as you meet certain requirements. Once the government opens the application period, “Dreamers” will be able to apply for “Registered Provisional Immigrant” or RPI status – a temporary legal status. After five years, they are eligible to get legal permanent resident status (green card) and apply immediately for citizenship. It does not matter how old you are when you apply, as long as you came to the U.S. before turning 16. If you are in the DACA (Deferred Action for Childhood Arrivals) process, the government may streamline your application for RPI status. Applicants will have to pass a criminal background check, and show that they know English and civics.

### Timeline

More than 5 years. After being granted RPI status, Dreamers can become permanent residents, and then must wait in line to get citizenship.

### Cost

Probably a small processing fee.

## UNDOCUMENTED IMMIGRANTS



### Your path

Undocumented people who meet certain criteria can receive a temporary status called Registered Provisional Immigrant (RPI), apply for legal residency after 10 years, and then for citizenship after three years. There are many requirements, and the whole process hinges on some “triggers,” goals that the government must meet on border security before anybody can apply for provisional status and later adjust to residency.

### How to get there

Steps to legalization: Apply for “Registered Provisional Immigrant” (RPI) status once the application period opens. After 10 years, apply for lawful permanent resident status, and then after 3 more years, for U.S. citizenship. RPI status lasts 6 years and can be renewed for another 6 years. Individuals who receive RPI status can work and travel outside the country but are not eligible for means-tested federal public benefits, subsidies, or tax credits under the Affordable Care Act.

### Eligibility:

- Must have entered the country before Dec. 31, 2011.
- Must pass a criminal and national security background check. You are ineligible if you have: one felony, one “aggravated felony” as defined under immigration law, three or more misdemeanors, certain foreign offenses; illegal voting; or gang affiliation.

### Triggers:

Before anyone can apply for RPI status, the Department of Homeland Security (DHS) must notify Congress that it has begun two strategies outlined in the bill to secure and create a fence along the Southern border.

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## UNDOCUMENTED IMMIGRANTS (continued)

Before anyone on RPI status can receive residency, DHS has to certify that it has made significant progress on the border strategies, a system of employment verification, and a system for tracking visas.

### Timeline

Undocumented people will be able to shed their undocumented status (and no longer fear deportation) quickly after the application period starts, which could be some months after the bill is signed into law. It will take another 13 years or more to become a full citizen.

### Cost

\$1000 for applicants 21 and over, which can be paid in installments and is due before the status can be extended after 6 years. Pay any back taxes.

## ALLIES OR U.S. CITIZENS



### Your path

While immigrants will be affected by this bill, there are some provisions that will also have a lasting effect on U.S. citizens. All employers will now have to use e-Verify to check the status of their employees, both immigrant and American-born. The system is filled with errors.

### Cost

Fixing errors in the system could cost employees time and money. Citizens will have to go to a government office and work with the government to fix errors. This could cost lost days of work, and possibly lost jobs.

## TEMPORARY WORKERS FROM ABROAD



### Your path

Individuals who want to come to the U.S. to work temporarily in certain low-wage fields can apply for a temporary W visa.

### How to get there

The W visa program is for jobs that do not require a college degree and do not involve computer operation. There must be a shortage of U.S. citizen applicants for such jobs. Eligible employers and positions have to be approved by the federal government. Workers apply while they are still abroad. They have to pass a criminal background check and meet some requirements. There is a 3-year visa with possibility to renew. W visa holders cannot adjust their status to legal permanent residence, but may qualify under other parts of the law to adjust.

### Timeline

Employers and workers can start taking advantage of this visa program as soon as the bill is passed.

### Cost

Employers pay the fees.

For updates and information, go to [aclu-ky.org](http://aclu-ky.org) and click on Immigrants' Rights

