



OVERVIEW OF S.744 - THE SENATE IMMIGRATION REFORM BILL

Roadmap to Citizenship (Legalization Programs)

- New Registered Provisional Immigrant (RPI) status, for most undocumented immigrants who entered the country before Dec. 31, 2011, with possible adjustment to Lawful Permanent Resident (LPR) after ten years, contingent on meeting four “triggers,” described below. Ability to naturalize three years after receiving LPR, for a minimum 13-year roadmap to citizenship.
- Department of Homeland Security (DHS) must substantially achieve four “triggers”: (1) nationwide implementation of E-Verify; (2) entry-exit system for visas; (3) Comprehensive Southern Border Security Strategy; and (4) Southern Border Fencing Strategy.
- RPI status for DREAMers (entered country before 16 years old) of all ages, with possible adjustment to LPR after five years if two years of college or four years of military service completed. Ability to naturalize immediately after receiving LPR, for a total five-year roadmap to citizenship. Also eligible for federal loans, work study, services (but not Pell).
- Immigrants with work authorization can access professional, commercial, or business licenses, with discrimination based on status prohibited.
- Immigrants previously deported with (1) U.S. citizen relative; or (2) eligibility for DREAM Act, may apply for RPI and return to United States.
- New Blue Card status, visa lasting eight years for undocumented immigrants that worked a minimum number of hours in agriculture before Dec. 31, 2012, with possible adjustment to LPR after five years. Ability to naturalize under existing law, for a ten-year roadmap to citizenship.
- Enrollment period of one year, with an optional 18-month extension, for both RPI and Blue Card applications.
- Temporary Protected Status (TPS) holders to adjust to LPR after ten years of lawful presence.

Immigrant Visa Reforms (Future Permanent Immigration)

- Standard for waiver of three- and ten-year bars on reentry reduced from extreme hardship to hardship.
- Spouses and minor children of LPRs reclassified as “immediate relative,” which exempts from caps on family-sponsored visas and per-country caps.
- Family immigration category for siblings of U.S. citizens eliminated after 18 months.
- Family immigration category for married adult children over 30 of U.S. citizens eliminated after 18 months.
- Diversity Lottery visas eliminated.
- New Merit-Based System (Track One) of points for both high-skilled (Tier 1) and low-skilled (Tier 2) workers that includes several factors, including education, employment skills, pending employment, language, age, family, country of origin, and other criteria.
- New Merit-Based System (Track Two) to admit those in existing visa backlog.
- Per-country caps for family-based immigration increased to 15 percent, and eliminated altogether for employment-based immigration.

Nonimmigrant Visa Reforms (Future Temporary Immigration)

- New W visa for low-skilled, nonagricultural guest workers that lasts three years, is renewable, and allows for dependent visas.
- New W-3 and W-4 visas for non-immigrant, agricultural guest workers that last three years, are renewable, but do *not* allow for dependent visas.
- Elimination of one-year deadline to file for asylum, with previously denied asylum seekers allowed to petition court to re-open cases. DHS officers granted power to immediately grant asylum to future asylum seekers after initial interview.
- U-visa cap increased to 18,000 per year, with eligibility expanded to victims of serious workplace and labor offenses, and victims of elder abuse.

Interior Enforcement

- New grounds of ineligibility / deportability for gang membership, multiple DUI convictions, certain domestic crimes, and fraudulent passport / visa violations.
- Increased criminal and civil penalties for illegal entry, illegal reentry, smuggling, and passport / visa fraud.
- Anti-discrimination protections in the rollout of the nationwide E-Verify system.
- Right to counsel for certain immigrant minors and immigrants with serious mental disabilities in removal proceedings.
- Racial profiling prohibited for federal law enforcement authorities, with certain mandated reporting requirements.
- Improved oversight of detention facilities, expanded alternatives to detention, and increased judicial discretion in bond hearings.

Integration

- New integration task forces and committees.
- \$100 million for integration services.
- \$50 million for legalization services.