



ASIAN AMERICANS
**ADVANCING
JUSTICE**
AAJC

H.R. 15 - The Border Security, Economic Opportunity, and Immigration Modernization Act

On October 2, 2013, members of the House of Representatives introduced the Border Security, Economic Opportunity, and Immigration Modernization Act (H.R. 15). This bill largely mirrors provisions in the immigration bill passed by the Senate (S. 744) in June 2013. While the bill does not entirely address the concerns of Asian Americans, Asian Americans Advancing Justice-AAJC worked to include a number of family-based immigration provisions that if passed, would positively impact the lives of millions of Asian American families.

Provisions to Protect

Expedited Family Reunification

- Reduces the current family backlog over a ten-year span.
- Reclassifies spouses and minor children of legal permanent residents as “immediate relatives,” also known as the “2(A) fix,” which allows for a significantly shorter processing time for applicants and is not subject to numerical caps on green cards.
- Allows parents of U.S. citizens, who immigrate, to bring their minor children with them.
- Allows Filipino American World War II veterans to reunite with their adult children more quickly.
- Increases per-country caps from 7 to 15 percent.
- Improves waiting process by allowing some family members with approved family petitions to live and work in the U.S. until their green cards are available; other family members will be able to visit the U.S. for up to 60 days per year.

Pathway to Citizenship

- Provides undocumented immigrants, who qualify, with an opportunity to come out of the shadows and adjust their status, eventually obtaining a green card and later being able to apply for citizenship.
- Includes and expands the DREAM Act, which will enable many undocumented young persons the chance to gain legal status and later apply for citizenship.
- Provides a separate pathway to citizenship for agricultural workers.

Access to Safety Net Programs

- Rectifies the welfare reform legislation of 1996, by making Compact of Freely Associated States (COFA) migrants eligible for Medicaid again.

Provisions to Improve

Limited Family Immigration

- Eliminates the family-based immigration category for siblings of U.S. citizens (would take effect 18 months after enactment).
- Imposes an age restriction of 31 on the adult married children category (would take effect 18 months after enactment).
- Creates an experimental points-based system for visas (in addition to family- and employment-based visas).

- This system awards points to individuals for educational attainment and work experience, in addition to other criteria. This new mechanism will potentially disadvantage women and many family members, who are not able to accumulate enough points for a visa.
- H.R. 15 does contain a provision requiring a GAO study of the merit-based system after it is implemented.

Restrictions within Pathway to Citizenship

- Contains an arduous set of requirements that would exclude significant numbers of the 11 million undocumented immigrants and render it extremely difficult for many aspiring American to eventually naturalize.

Enforcement

- Forces all employers to utilize the flawed employment verification system, E-Verify, within four years of enactment.

Bars on Critical Benefits and Resources

- Leaves out individuals in registered provisional status, including RPI, blue card, and V visa categories, from qualifying for federal means-tested benefits (namely Medicaid, CHIP, SNAP, SSI, and TANF) despite paying taxes that support these safety net programs.
 - These individuals will likely have to wait 10 years in addition to the existing 5-year bar, for a total of 15 years, before having the health and economic security afforded to other American taxpayers.
 - By leaving out this large population, health care costs could increase, while forcing low-income families without access to critical resources.
- Excludes individuals in provisional status from the tax credit and premium subsidies of the Affordable Care Act that would enable them to purchase affordable health insurance.

What do we need to keep fighting for?

- A **robust family reunification process** needs to be included in the final immigration bill that becomes law. Our family immigration system should include all families, as family immigrants provide great benefits to our economy and community.
 - Specifically, we need to keep fighting for siblings and all adult married children to have realistic opportunities to come to the U.S. and reunite with their loved ones.
- The **path to citizenship** should be as accessible and fair as possible to ensure that undocumented immigrants have a meaningful pathway to achieve citizenship and become active members of our society.
- The final bill should include **provisions that protect women immigrants**, who are often coming from oppressive governments, and countries with fewer opportunities afforded to women and girls.
 - Women immigrants should have the same opportunities to obtain legal status and/or immigrate to the U.S. in the future.
- We want immigrants on the path to citizenship to have a fair chance at economic success by allowing them **access to key safety net programs** should their families fall on hard times. At the very least, we need to assist those on the path to citizenship in purchasing affordable health insurance so that our private health insurance markets have more participants, lowering costs across the board.
- This bill should **fix and reverse the harsh and devastating immigration consequences for criminal offenses** put in place in 1996.

For more information on immigration reform efforts and to get the latest updates, please visit www.reunitingfamiliesnow.org.