The Benefits of Commonsense Immigration Reform
Latino Immigrant Communities

"We know that 10 years from now, 20 years from now, 30 years from now, there are going to be more people of Latino heritage here in the United States, and that should be a source of pride and a source of strength... Immigration is always difficult -- it always has been in this country. But what's also been true is that this is the thing that separated America from every other country on Earth. It's part of what makes us special, and we have to continue that tradition by passing comprehensive immigration reform."

--President Barack Obama, July 18, 2013

As the largest immigrant group in the United States, Latino immigrants from Mexico, Central and South America and the Caribbean are deeply impacted by our broken immigration system. Comprising [53% of the foreign born population](#) in the United States in 2010, Latino immigrants represent a rapidly growing portion of the population in the United States.

From family members hoping to reunite with loved ones, to farmworkers fueling our agricultural industry, to young DREAMers who call the United States home, Latino immigrants are an integral part of American society. But they are the largest group of undocumented immigrants in the United States, making up more than three-quarters of the [11 million living and working](#) in the shadows, unable to fully participate in American life.

The President has made clear that Democrats, Republicans, and Independents in Congress must work together to enact commonsense immigration reform and bring our legal immigration system into the 21st century. On June 27, with a strong bipartisan vote, the Senate passed historic legislation that is largely consistent with the President's

principles for reform. The bill would continue to strengthen border security, create an earned path to citizenship for undocumented immigrants, hold employers accountable, and modernize our legal immigration system so that it better meets the needs of families, employers, and workers.

The Senate's Border Security, Economic Opportunity and Immigration Modernization Act (S. 744) represents a good opportunity for our country has had in years to modernize our immigration system, and key provisions would have significant and lasting benefits for Latino immigrants.

The bipartisan Senate bill would reunite families by eliminating the backlog of family-based visas. Current family immigrant visa backlogs can separate family members for years and even decades.
- Family-based immigration is the most common pathway to the United States for Latino immigrants. In 2012, more than 133,000 Mexican immigrants obtained their green card through petitions filed by their U.S. citizen or permanent resident family members. However, Latino immigrants are deeply impacted by current visa backlogs.
- For example, as of November 1, 2012, 30% of individuals in the immigrant waiting list were Mexican, the vast majority being sponsored by a family member. This means that approximately 1.3 million Mexicans are separated from their spouses, children and other family members. When you look at the waiting list for petitions filed by permanent residents for their spouses and minor children, more than 57% of those caught in the backlog are potential Latino immigrants.
- The Senate bill would eliminate the family-based visa backlog in part by exempting spouses and unmarried children of permanent residents from annual limitations on family-sponsored green cards, treating them like spouses and children of U.S. citizens.
- By adopting backlog reduction measures and increasing the limit on the number of immigrants allowed each year from individual countries, the Senate bill will eliminate current family visa backlogs in seven years and reduce future wait times for nations with the highest rates of immigration.

The Senate bill would provide a lengthy but fair path to earned citizenship, bringing undocumented members of the Latino community out of the shadows and creating an expedited path for DREAMers.
- Immigrants from Mexico, Central America, South America, and the Caribbean represent approximately 80% of the undocumented immigrant population in the United States.
- Mexicans are the largest population of undocumented immigrants. In 2011 there were an estimated 6.8 million Mexican undocumented immigrants, comprising an estimated 59% of total undocumented immigrants. Salvadorans, Guatemalans and Hondurans add another 1.5 million.
- When you consider children with at least one undocumented parent, 87% have parents from Mexico or another Latin American country.

- The Senate bill would allow undocumented immigrants to apply for Registered Provisional Immigrant (RPI) status if they entered the United States by December 31, 2011 and meet a rigorous set of eligibility requirements, including registering, paying fees, fines, and taxes, learning English, and passing extensive background checks. RPI status would be renewable after six years, allowing immigrants to live and work in the United States.
- Individuals with RPI status would have work authorization, be permitted to travel outside of the country, and be able to apply for RPI status for their children and spouse living in the United States.
- The Senate bill would also provide an expedited five-year path to earned citizenship for DREAMers, making them eligible for citizenship immediately after applying for green card status if they have held RPI status for at least 5 years, were younger than 16 when they initially entered the U.S., have earned a high school diploma or a GED certificate in the U.S. and attended at least 2 years of college, obtained a bachelor's degree, or served in the military for at least 4 years with an honorable discharge.
- An estimated 71% of potential DREAMers are Mexican, another 14% are from Central America or another North American country (including the Caribbean) and 6% are from South America.

The Senate bill would create a new path to earned citizenship for current farmworkers and create a new pathway for farmers to hire future workers.
- According to the National Agricultural Workers Survey, approximately 78% of farmworkers in the United States were born outside the United States, with three-quarters of them born in Mexico and another 2% born in Central America. Approximately half of these farmworkers reported that they are undocumented.
- The Senate bill would establish a program for earned adjustment of status for agricultural workers and their spouses and children in the United States. Individuals who worked in agricultural jobs in the U.S. for a specified amount of time before January 2013 could apply for "Blue Card Status" if they met certain requirements.
- As blue card holders, these individuals would receive documentation to work in the United States and travel outside the country. Provided they continue to work in agriculture for a requisite period of time, blue card holders and their dependents would be able to earn green cards and eventual citizenship.
- The Senate bill would phase out the existing temporary visa for agriculture (H 2A) and establish a new temporary worker program with two new worker visas: one for agriculture workers with a written contract for employment (W-3) and one for agriculture workers with an offer of employment (W 4). These new visas are intended to meet future labor needs.

The Senate bill would create new visa pathways for immigrant entrepreneurs and investors, increase the number of employment based visas available, and make key improvements to the H-1B program.
- In fiscal year 2012, more than 11,000 South Americans and 7,000 Mexicans obtained green cards through employment-based immigrant visa petitions.

Approximately [4,000 Mexicans](#) are in the employment-based immigrant waiting list.

- The Senate bill would eliminate the existing backlogs for employment-based green cards, exempting certain employment-based categories from the annual cap, and removing annual country limitations altogether.
- The Senate bill would exempt science, technology, engineering, and math (STEM) PhD and Master's graduates from the overall cap of 140,000 visas. This provision would effectively "staple" a green card to the diplomas of advanced STEM graduates from U.S. universities.
- Immigrants born in Mexico [comprise 12%](#) of all immigrant small business owners.
- The new INVEST visa ("Investing in New Venture, Entrepreneurial Startups, and Technologies") would allow entrepreneurs who attract a threshold level of financing from U.S. investors or revenue from U.S. customers to start and grow their businesses in the United States, and to remain permanently if their companies grow further and create jobs for American workers.
- The Senate bill would also improve the EB-5 Immigrant Investor Program, and increase the number of available green cards for immigrant investors from approximately 10,000 annually to approximately 14,000 annually.
- The Senate bill would also increase the number of available H-1B visas by increasing the baseline floor from 65,000 visas to 115,000 visas per year.
- Improvements to the H-1B program would allow spouses of H-1B visa holders to work in the U.S and increase worker mobility by establishing a 60-day transition period for H-1B workers to change jobs.