

New Legislation Introduced by Congressman Luis V. Gutierrez - Comprehensive Immigration Reform for America's Security and Prosperity Act of 2009 (CIR ASAP)

On Tuesday, December 15, 2009, Congressman Luis V. Gutierrez, along with 91 cosponsors, introduced the Comprehensive Immigration Reform for America's Security and Prosperity Act of 2009 (CIR ASAP) into the US House of Representatives. This proposed legislation is the result of months of conversations with communities across the nation. Specific provisions of the Act include:

VISA BACKLOGS

CIR ASAP would address current employment and family visa backlogs by recapturing unused visas from past years, and by removing caps for certain highly skilled workers as well as spouses and minor children of US citizens and permanent residents. Skilled workers would be able to file adjustment applications even if their employment-based priority dates are not current. Other provisions would allow more consideration for parents facing separation.

LEGALIZATION

Undocumented immigrants could apply for conditional non-immigrant status and, after six years, apply for green cards. Eligible immigrants would need to be in the US as of December 15, 2009, and contributing to the US through work, education, military service, or community service. Other requirements include passage of a background check, no serious criminal convictions, and payment of a \$500 penalty. A grant of conditional nonimmigrant status would allow these individuals to have permission to work and travel without being subject to the 3/10 year bar.

EMPLOYMENT VERIFICATION

CIR ASAP would establish a new employment verification system which would contain severe penalties for hiring undocumented immigrants. The bill contains limits on the types of information collected, and it bars employer from using the system in a discriminatory manner.

ENFORCEMENT

CIR ASAP places a focus on DHS enforcement by ensuring adequate training and equipment for border agents; security of ports; and combating drugs, firearms, and human trafficking. It also sets strong medical and other standards for handling immigrants held in detention; bars separation of families in detention except in exceptional cases; requires alternatives to detention for certain vulnerable groups; and places certain restrictions on enforcement actions. CIR ASAP also repeals 287(g), preempts Hazleton-like local ordinances targeting the undocumented; and sets up oversight of DHS through courts and a new ICE Ombudsman.

INTEGRATION

CIR ASAP promotes citizenship by putting greater scrutiny on future fee increases; allowing more exemptions from the English test requirement for older immigrants; and setting up a New Americans Initiative to fund citizenship programs in immigrant communities. The bill also sets up grant programs to fund community organizations to aid immigrants with their applications for legalization, green cards, and citizenship. The encourage English education, CIR ASAP provides tax credits for new teachers in English programs and for employers who set up such programs. It also encourages states to create New American Councils to develop statewide integration.