

Undocumented Communities Call for “Urgent” Legal Protection

February 26, 2021 — Nearly 11 million undocumented people living in the U.S. could be granted a path to citizenship under new legislation. [The U.S. Citizenship Act of 2021](#), which was introduced in the House and Senate last week, proposes to do what Congress has failed to do for the last 35 years: offer a pathway to citizenship for undocumented individuals.

This legislation is a lifeline for undocumented people like Claudia (whose name has been changed to protect her identity). Claudia has lived in the U.S. for over 20 years, and her children are U.S. citizens. But Claudia doesn’t have documentation, so her family was cut off from most federal support, including initial COVID relief measures.

When we first spoke to Claudia last summer, her family had not received any stimulus payments — even though she is a frontline worker. As a farmworker, Claudia puts food on the tables of thousands of Americans.

“It’s urgent that there be amnesty,” she says. “[Undocumented people are] working to help this country go forward. We deserve respect.”



Migrant workers clean fields near Salinas, Calif., March 30, 2020, amid the coronavirus pandemic (CNS photo/Shannon Stapleton, Reuters).

December's relief package finally issued payments to certain households with mixed immigration statuses, offering short-term support to some migrant families. But a pathway to citizenship would provide the long-term security that families need.

Broad Reforms

The U.S. Citizenship Act would fast-track farmworkers and DACA recipients for citizenship. Claudia would be immediately eligible for a green card and could apply for citizenship after three years. Millions more migrants would be eligible for citizenship after eight years.

“The new president's plan is very interesting,” Claudia says. “With this new president, things are different. It will take a lot to unite so many people that are so divided, but at least there is a sliver of hope.”

Claudia's sister, Erika, has worked without documentation for 20 years at the same farm. She's determined to remain hopeful. “I think with Biden we have a little ray of light and hope after living in the shadows for so many years,” she says. “Nothing is for certain, but we must keep the faith.”

The U.S. Citizenship Act offers a comprehensive approach to immigration reform. It would also erase many of the restrictions on family-based immigration and expand worker visas. But with slim majorities in the House and Senate, the bill is unlikely to pass as written. Instead, some immigration advocates and experts have suggested breaking the bill into targeted legislation that offers relief to specific populations.

“The success of this bill depends on the ability of both parties to move away from the usual paradigm of a pathway to citizenship versus increased border security, which today is nothing more than a convenient political talking point,” says Caitlin-Marie Ward, senior migration advisor at the [Jesuit Conference Office of Justice and Ecology](#). “While both parties may not agree on the entire bill, they may be able to break it apart and find some common ground.”

Targeted Legislation

For example, roughly 640,000 DACA recipients are eligible for legal status under two bills in Congress. [Under the DREAM Act](#), people who migrated to the U.S. as children would be eligible for citizenship after a five-year period — or three years under the Citizenship Act. Both bills extend beyond those currently enrolled in DACA to include over 2 million additional people who arrived in the U.S. as minors.



Ivonne Ramirez

Permanent status would relieve a burden that Ivonne Ramirez has carried since she was a child. Ramirez came to the U.S. from Mexico when she was eight, and she grew up in the U.S. without documentation. Thanks to DACA, she is pursuing a career in healthcare. But she must renew her status every two years, a process that takes up to six months and costs \$495. Even more worrying is the ever-present possibility of the DACA program being terminated, as President Trump attempted, which could result in her losing legal status altogether.

“It’s a constant reminder [that] you’re not from here,” she says. Caught between her American and Mexican identities, Ramirez wants to become a U.S. citizen. But she worries that the Citizenship Act will be tied up in negotiations.

“I love to see people being optimistic, but this is not the first time a bill affecting DACA recipients has been introduced,” she says. “For now, it is just a bill, and anything can change in future negotiations. We should be hopeful, but also realistic. We are heading down the right road, but there’s a long way to go.”

Representative Joaquin Castro (D-TX) introduced another bill last week to protect undocumented frontline workers like Claudia. If passed, approximately 5 million undocumented frontline workers would be shielded from deportation and offered a pathway to citizenship.

“During the pandemic, we have become more aware than ever of the essential role undocumented immigrants play in our critical infrastructure,” says Ward. “It is both practically and morally unacceptable that these individuals should continue to toil in the shadows, vulnerable to exploitation and excluded from full participation in our communities.”

Congress is also considering citizenship for over 400,000 TPS (Temporary Protected Status) holders. TPS offers protection and legal status to migrants who have fled dangerous conditions in countries such as Honduras or Syria. Many TPS recipients have lived in the US for decades and have built their lives here. [A second bill](#) would add Venezuela to the list of TPS countries.

