

## **Special Immigration Update**

**April 19, 2013**

### **Legal Status for Many, Increased H-1B Visas and National E-Verify Mandate on the Horizon**

Just as the April Immigration Update was released, the bipartisan group of Senators announced an 844 page comprehensive immigration reform plan (S. 744). Below is an outline of initial points of interest from the Bill:



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~ An increased H-1B visa cap increasing from 65,000 to 110,000, and, possibly, up to 180,000, depending on demand;

~ Exemption of certain immigrants such as doctoral degree holders and certain physicians from the employment-based "green card" quota;

~ An enhanced E-Verify system requiring all employers to use system after 5 years and phased in beginning with large employers;

~ A new W-Visa classification for lesser-skilled workers;

~ A new EB-6 category for new venture investors and entrepreneurial startups;

~ A merit-based family immigration system; and

- A path to citizenship for undocumented immigrants.

Potentially, the most controversial point will be the path to legalization for undocumented noncitizens. The Bill provides an opportunity for undocumented noncitizens who have lived in the US continually prior to December 31, 2011 can apply for "Registered Provisional Immigrant" (RPI) Status, pay back taxes, pay \$500 in fines, and if they have not been convicted of a felony, 3 or more misdemeanors or voted illegally.

Individuals in RPI status will be able to work and travel abroad.

After 10 years in RPI status, they will be eligible - pending border security measures and clearing of existing backlogs for legal immigrants - to earn a merit-based green card if they have worked in the U.S., demonstrated knowledge of the English language and paid an additional fine of \$1000.

We will continue to follow this legislation's journey through Congress in the coming weeks.



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