

"Ten years ago, I came to America with the hope of pursuing a good life and happiness, as I believe this is the land of opportunity as long as you work hard for it, using the knowledge and skills that we have achieved through our education and experiences."

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FEDERAL FACT SHEET

The U.S. Citizenship Act of 2021

On January 20, 2021, President Biden announced the U.S. Citizenship Act of 2021, and Sen. Bob Mendez (D-NJ) and Rep. Linda Sánchez (D-CA) introduced related bills in the Senate and House, respectively, on February 18, 2021.¹ If enacted, the Act would provide Lawful Prospective Immigrant (LPI) status to approximately 11 million undocumented immigrants, including "essential" workers, such as home care workers and nursing assistants. The Act would also create earned pathways to citizenship for other categories of immigrants, including children, agricultural workers, LGBTQ partners, and more. In the long-term care sector, the bill would ensure that immigrant direct care workers receive targeted support and that employers can build a strong workforce pipeline that can meet growing demand. This fact sheet explains why the U.S. Citizenship Act of 2021 matters to immigrant direct care workers and the long-term care sector.



Did You Know?

In 2018, 27 percent of the direct care workforce were immigrants, totaling nearly 1.2 million workers.² As more immigrants have moved to this country, their presence in direct care has also accelerated; their segment of the direct care workforce grew faster between 2008 and 2018 than that of U.S.-born workers (83 percent versus 43 percent). Immigrants in direct care are also incredibly diverse, coming from 150 countries and speaking 85 languages.

Why It's Needed

Immigrants are an essential though undervalued part of the direct care workforce and long-term care landscape.

Immigrants represent 27 percent of the direct care workforce and a significant segment of the “gray market,” where consumers hire home care workers directly using private funds. Like all direct care workers, immigrants struggle with poverty-level wages, insufficient training, limited career paths, and a lack of recognition and support, while also navigating a harsh and complicated immigration system.

The vitriolic political climate on immigration and devaluing of direct care workers combine to make work and life nearly impossible for immigrants in this sector.

The last four years alone spurred several malicious policy attacks on immigrants, preventing many immigrant direct care workers from feeling secure on the job and in their communities. The rise in xenophobia has also hindered proactive policy measures that would strengthen supports for these workers.

The lack of support for immigrants compounds the direct care workforce shortage.

Growing demand for direct care workers means that long-term care employers will need to fill 7.4 million total direct care job openings between 2019 and 2029.³ Immigrants are key to this goal, helping ensure that consumers have the paid support they need. Ultimately, an attack on immigrants—who are vital to long-term care—affects everyone in this system.

ADDRESSING ROOT CAUSES

The U.S. Citizenship Act of 2021 aims to address the “root causes” of our country’s immigration challenges. One measure would increase funding to El Salvador, Guatemala, and Honduras, three countries representing a large and growing segment of new arrivals to the U.S.⁴ Another measure would improve immigration courts by reducing backlogs, enhancing training and technology, and allowing judges and adjudicators the discretion to review cases and grant relief. The Act also expands family case management programs, increases funding for legal orientation programs and counsel for children, and broadens support for asylum seekers and other vulnerable groups.



What It Includes

A new immigration status—as part of the Act’s “earned roadmap to citizenship” for undocumented immigrants—that would benefit millions of individuals, including direct care workers.

The Act would provide Lawful Prospective Immigrant (LPI) status to roughly 11 million undocumented immigrants and their spouses and children if they entered the U.S. on or before January 1, 2021. (LPI status is a new category of immigration status introduced by this Act that offers work authorization, social security cards, and travel to and from the country for a renewable six-year period.) The Act would also offer LPI status to workers who have been deemed “essential” during the COVID-19 crisis, such as direct care workers, as well as to temporary agricultural workers.

“This is an important first step in pursuing immigration policies that unite families, grow and enhance our economy, and safeguard our security.”

PRESIDENT BIDEN

February 18, 2021⁶

Lawful permanent residence for immigrants who arrived as children, agricultural workers, LGBTQ partners, and more.

The Act also provides Lawful Permanent Residence status (with specific eligibility requirements) for immigrants under Temporary Protected Status or Deferred Enforcement Departure, and “permanent” (equivalent to married) LGBTQ partners (and their children) of U.S. citizens and permanent residents.⁵ Two additional categories of immigrants would receive support under the Act: Syrians who worked for the U.S. government in Syria, and the surviving spouses and children of those employed in other countries by the U.S. government (if the employee served for at least 15 years or was killed in the line of duty).

A stronger and more humane immigration system.

In addition to the items described above, the Act would implement several measures meant to expand and reform legal immigration, such as reducing the residence requirement for permanent residents seeking citizenship, increasing per-country visa caps and Diversity Visas, and prohibiting religious based discrimination in immigration policy, among other provisions.



What Should Happen Next

- **The diverse range of stakeholders invested in creating a strong direct care workforce and a humane immigration system should speak to their members of Congress.**

Congressional leaders need to hear different perspectives on the enormous contributions of immigrant direct care workers and the needs of the long-term care sector. For example, they must understand that immigrants are critical to meeting the growing demand for paid long-term services and supports. Also, supporting immigrants in this sector is both an effective labor market intervention—bolstering the U.S. economy—and the right thing to do, given immigrants’ profound needs and our country’s long-standing reliance on their contributions.

- **Congress should pass the U.S. Citizenship Act of 2021.** As described by President Biden, this Act would provide “hardworking people who enrich our communities every day and who have lived here for years, in some cases for decades, an opportunity to earn citizenship.”⁷⁷ Immigrants in direct care exemplify the spirit of this bill, ensuring that older adults and people with disabilities receive the services they need to live and thrive—and they also deserve the right to live and thrive themselves.

- **Federal leaders should advance other policies that stabilize this vital segment of the direct care workforce.** In addition to the measures outlined in this fact sheet, the direct care workforce and long-term care sector would benefit from other interventions, including (among others): new research on the understudied “grey market,” funding for immigrant-specific workforce programs in direct care, and strategies that build the pipeline and address staffing shortages for this workforce, while ensuring solid job protections for workers.

NOTES

1. The White House. 2021. “Fact Sheet: President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System.” Press statement, January 20. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-president-biden-sends-immigration-bill-to-congress-as-part-of-his-commitment-to-modernize-our-immigration-system/>; U.S. Senator Bob Menendez. 2021. “Menendez, Sánchez Introduce Bicameral U.S. Citizenship Act of 2021 to Overhaul American Immigration System.” News release, February 18. <https://www.menendez.senate.gov/newsroom/press/menendez-sanchez-introduce-bicameral-us-citizenship-act-of-2021-to-overhaul-american-immigration-system>.
2. Ruggles, Steven, Sarah Flood, Ronald Goeken, Josiah Grover, Erin Meyer, Jose Pacas, and Matthew Sobek. 2020. *IPUMS USA: Version 10.0*. <https://doi.org/10.18128/D010.V10.0>; analysis by PHI (May 2021).
3. Campbell, Stephen. 2021. “Will COVID-19 Change Direct Care Employment? New Data Offer Clues.” *PHI Newsroom*, April 12, 2021. <https://phinational.org/will-covid-19-change-direct-care-employment-new-data-offer-clues/>.
4. Cohn, D’Vera, Jeffrey S. Passel, and Ana Gonzalez-Barrera. 2017. *Rise in U.S. Immigrants From El Salvador, Guatemala and Honduras Outpaces Growth from Elsewhere*. Washington, DC: Pew Research Center. <https://www.pewresearch.org/hispanic/2017/12/07/rise-in-u-s-immigrants-from-el-salvador-guatemala-and-honduras-outpaces-growth-from-elsewhere/>.
5. For details on temporary protected status and deferred enforced departure, see U.S. Citizenship and Immigration Services. “Temporary Protected Status.” Washington, DC: U.S. Citizenship and Immigration Services. Accessed May 17, 2021; and U.S. Citizenship and Immigration Services. “Deferred Enforced Departure.” Washington, DC: U.S. Citizenship and Immigration Services. Accessed May 17, 2021. <https://www.uscis.gov/humanitarian/deferred-enforced-departure>.
6. The White House. 2021. “Statement by President Joseph R. Biden, Jr. on Introduction of the U.S. Citizenship Act of 2021.” Press statement, February 18. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/02/18/statement-by-president-joseph-r-biden-jr-on-introduction-of-the-u-s-citizenship-act-of-2021/>.
7. The White House. 2021. “Fact Sheet: President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System.” Press statement, January 20. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-president-biden-sends-immigration-bill-to-congress-as-part-of-his-commitment-to-modernize-our-immigration-system/>.

Read about the U.S. Citizenship Act of 2021 here: <https://tinyurl.com/yzuc8ewn>.



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