

## Special Legislative Report:

Introduced 6/1/21

Draft passed by the US House Judiciary Committee 4/6/22

HR 3648 — 117th Congress 2021-2022

**EAGLE (Equal Access to Green cards for Legal Employment) Act of 2021**

<https://www.congress.gov/bill/117th-congress/house-bill/3648/text>

**Introduced by Congresswoman Lofgren (D)**

Curtis (R), Nadler (D), Johnson (R), Bass (D), Fitzpatrick (R), Cicilline (D), Vela (D), Swalwell (D), Langevin (D), Welch (D), Luria (D), Correa (D), Garamendi (D), Schrier (D), Cohen (D), Maloney (D), Krishnamoorthi (D), Yarmuth (D), and Khanna (D) and referred to the Committee on the Judiciary

**Purpose:** The **EAGLE Act** is intended to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants; to increase the per-country numerical limitation for family-sponsored immigrants; and other purposes.

### **Mandates:**

- **The EAGLE Act** mandates that the existing 7% per-country cap on employment-based green cards be removed, in phases.
- **The EAGLE Act** mandates that the 7% per-country cap on family-sponsored visas be raised to 14%.
- **The EAGLE Act** mandates that individuals with backlogged visas be allocated expanded abilities, including:
  - Ability to travel
  - Ability to switch employers
  - And includes a provision that individuals with backlogged visas for a period of more than two years may file a green card application

### **Notes:**

- While **The EAGLE Act** raises the per-country cap for family-sponsored visas, and eliminates the per-country cap for employment based green cards, it does not raise the total number of green cards allowed to be issued annually, which is 140,000.

### **General Implications of The EAGLE Act:**

- **The EAGLE Act** mandates the removal of the per-country cap, which restricts the distribution of visas from any given country to 7% of the visas available.
- This means that countries with an incredible amount of visa applicants receive in theory the same amount of visas as a country with very few visa applicants.
- This per-country standard leads to significant backlogging, with individuals waiting sometimes decades to receive visas.

<https://timesofindia.indiatimes.com/world/us/us-house-panel-passes-eagle-act-draft-seeking-removal-of-country-cap-for-employment-based-green-cards/articleshow/90710432.cms>

- Under **The EAGLE Act** employment-based visas will no longer be restricted by per-country limitations, instead visa applicants will be accepted based on merit and timeliness of their application submittance
- This will significantly improve backlogging, and thus will have a significant impact upon Michigan's Hispanic/Latino community, as according to the Migration Policy Institute, there is a backlog of 9.5 million.

<https://www.migrationpolicy.org/article/us-immigration-backlogs-mounting-undermine-biden>

- Additionally, **The EAGLE Act** will expand options for those with backlogged visas, including provisions to change workplaces and to apply for a green card.
  - This is also of relevance to Michigan's Hispanic/community, as many undocumented immigrants have come forward with experiences of workplace and employer discrimination or exploitation.
- <https://www.forbes.com/sites/tomspiggle/2019/08/22/why-workplace-abuse-plagues-undocumented-workers/?sh=646ac98049b2>
- Thus, this provision will help to ensure that workers are protected and able to switch employment without jeopardizing their ability to obtain a green card or visa, regardless of citizenship status.

**Introduced 5/13/21**

**Drive SAFE (Safety, Access, Freedom, Economy) 2021**

**House Bill 4835 (HB 4835) 5/13/21**

<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4835.pdf>

**Introduced by Representatives** Kuppa (D)

Hood (D), Hope (D), Stone (D), Thanedar (D), Steckloff (D), Morse (D), LaGrand (D), Cynthia Johnson (D), Aiyash (D), Tyrone Carter (D), Brabec (D), Cherry (D), Puri (D), O'Neal (D), and Brenda Carter (D) and referred to the Committee on Rules and Competitiveness.

**Purpose:** **HB 4835** is intended to amend 1949 PA 300, entitled "Michigan vehicle code," by modifying the section relating to driver's licenses, removing the "legal presence requirement" in order to obtain a driver's license.

**Mandates:**

- **HB 4835** mandates that a driver's license may be issued to an applicant with "insufficient documentation" proving legal status, provided that this license will not be used in a federal or voting capacity.

- **HB 4835** outlines that an applicant without sufficient documentation would be required to provide an alternative identification in order to receive the license, including:
  - A valid unexpired consular identification document
  - An original birth certificate or other proof of age
  - A home utility bill, lease or rental agreement, or other proof of Michigan residence
  - A marriage license or divorce certificate
  - A foreign driver license
 And other forms of documentation

### House Bill 4836 (HB 4836) 5/13/21

<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2021-HIB-4836.pdf>

#### Introduced by Representatives Hood (D)

Kuppa (D), Hope (D), Stone (D), Thanedar (D), Steckloff (D), Morse (D), LaGrand (D), Cynthia Johnson (D), Aiyash (D), Tyrone Carter (D), Brabec (D), Cherry (D), Puri (D), O'Neal (D), and Brenda Carter (D) and referred to the Committee on Rules and Competitiveness.

**Purpose:** **HB 4836** is intended to amend 1972 PA 222, by modifying the section relating to the issuance and use of state identification cards, removing the “legal presence requirement” in order to obtain a state identification card.

#### Mandates:

- **HB 4836** mandates that a state identification card may be issued to an applicant with “insufficient documentation” proving legal status, provided that this state identification will not be used in a federal or voting capacity.
- **HB 4836** outlines that an applicant without sufficient documentation would be required to provide an alternative identification in order to receive the license, including:
  - A valid unexpired consular identification document
  - An original birth certificate or other proof of age
  - A home utility bill, lease or rental agreement, or other proof of Michigan residence
  - A marriage license or divorce certificate
  - A foreign driver license
 And other forms of documentation

#### Notes:

- **HB 4835 and 4836** would allow for undocumented individuals, or other individuals who may not be able to access or provide required identification to be able to obtain a Driver’s License and/or State Identification.
- If Michigan were to implement **HB 4835 and 4836**, it would be among 16 other states, in addition to the District of Columbia, who have already implemented laws that provide access to a driver’s license or state identification card, regardless of immigration status

<https://michiganimmigrant.org/drive-safe-safety-access-freedom-and-economy-bills-senate-bills-433-434-and-house-bills-4835-4836>

#### **Implications of HB 4835 and 4836:**

- **HB 4835 and 4836** could significantly improve access to identification documents (state ID and driver's license) across the state, and would have particularly beneficial impacts for Hispanic/Latino communities, where a larger share of the community may be of immigrant or undocumented status, or lack access to the documentation currently required to obtain identification for other reasons.
- These expanded access measures would have a number of statewide effects, including:
  - Expanding the pool of insured individuals and lowering the costs for all state residents, due to less claims submitted by unlicensed drivers
  - Improve public safety by ensuring that all drivers are trained, screened and tested
  - Improve workforce and economic participation by making it easier for individuals to travel to work, as well as access housing, healthcare, insurance, etc.
  - Increase state revenue through vehicle registration and taxes on insurance premiums and car purchases
  - <https://michiganimmigrant.org/drive-safe-safety-access-freedom-and-economy-bills-senate-bills-433-434-and-house-bills-4835-4836>

#### **House Bill 5951 (HB 5951) 3/22/22**

<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2022-HIB-5951.pdf>

**Introduced by Representatives** Cavanagh (D), Rogers (D), Lasinski (D), Neeley (D), Aiyash (D), Haadsma (D), Ellison (D), Thanedar (D), LaGrand (D), Koleszar (D), Brixie (D), Scott (D), Garza (D), Cynthia Johnson (D), Tyrone Carter (D), Rabhi (D), Young (D), Brabec (D), Anthony (D) and Yancey (D) and referred to the Committee on Elections and Ethics

**Purpose:** **HB 5951** is intended to amend 1954 PA 116, entitled "Michigan election law," by adding section 634b, by adding a reimbursement stipulation for special elections.

#### **Mandates:**

- **HB 5951** mandates that if a vacancy occurs in the office of state senator or representative and the governor directs that the vacancy be filled at a special election, and that special election is held on a date other than a regular election date, the state will reimburse each county, city, or township for the cost of conducting the special election.

#### **House Bill 5952 (HB 5952) 3/22/22**

<https://www.legislature.mi.gov/documents/2021-2022/billintroduced/House/pdf/2022-HIB-5952.pdf>

**Introduced by Representatives** Cavanagh (D), Rogers (D), Lasinski (D), Neeley (D), Aiyash (D), Haadsma (D), Ellison (D), Thanedar (D), LaGrand (D), Koleszar (D), Brixie (D), Scott (D), Garza (D), Cynthia Johnson (D), Tyrone Carter (D), Rabhi (D), Young (D), Brabec (D), Anthony (D) and Yancey (D) and referred to the Committee on Elections and Ethics

**Purpose: HB 5952** is intended to amend 1954 PA 116, entitled "Michigan election law," by amending sections 759, 761, 765a, 766, and 767, sections 759 and 761 as amended by 2020 PA 302, section 765a as amended by 2020 PA 177, section 766 as amended by 2018 PA 120, and section 767 as amended by 2005 PA 71, and by adding sections 766a and 766b, to include a provision that electors be notified if there is a problem with a signature on an absentee ballot.

**Mandates:**

- **HB 5941** mandates that if the clerk of a city or township receives an application for an absent voter ballot from an individual registered to vote in that city or township and the signature on the application does not agree with the signature for the individual contained in the qualified voter file or on the master card, the clerk must take the following actions:
- The clerk must notify the elector of the signature issue by phone or email by no more than 3 business days after receiving the absent voter ballot application, and no later than 8 p.m. on election day.

**Implications of HB 5945 - 5952:**

- **HB 5945 - 5952** could significantly improve access to voting across the state, and would have particularly beneficial impacts for Hispanic/Latino communities.
- The measures taken in **HB 5945 - 5952** unquestionable remove barriers to voting: through expanded absentee ballots, increased communication regarding issues with ballots and polling information, etc.
- It is well documented that despite having a large (and growing) share of the population, the Hispanic/Latino presence at polling stations is noticeably absent. In general, due to a variety of barriers, Latinos are less likely to vote.  
<https://ctlatinonews.com/why-latinos-dont-vote/>
- Therefore, efforts like **HB 5945 - 5952** will have significant impacts across the state, but particularly for populations where voting access is a massive issue, like Hispanic Latino populations.