



FACT SHEET

December 21, 2000

Legal Immigration Family Equity Act

Today, President Clinton signed a major immigration legislative package called the Legal Immigration Family Equity Act (LIFE) into law. This is alternative legislation to the Latino Immigration Fairness Act (LIFA) that was previously proposed. The Immigration and Naturalization Service (INS) is developing guidance for implementation of this new law, which will include instructions on how to apply under the new provisions.

Among the changes in the law are the following:

- Section 245(i) of the Immigration and Nationality Act will be available temporarily to people physically present in the United States on the date of enactment, December 21, 2000. The provision will allow a person who qualifies for permanent residency, but is ineligible to adjust status in the United States because of an immigration status violation, to pay a \$1,000 penalty to continue processing in the United States. In order to be eligible for 245(i) adjustment under the LIFE Act, a person must be the beneficiary of an immigrant petition or application for labor certification filed on or before April 30, 2001.
- A new temporary "V" non-immigrant status will be available to the spouses and minor children of lawful permanent residents waiting more than three years for an immigrant visa based upon an immigrant petition filed on or before the enactment date of the LIFE Act. Persons granted "V" status would receive employment authorization and are protected from removal.
- A new temporary "K" visa status will be available to spouses of U.S. citizens (and their children) living abroad. The current K visa is only available to fiancées of U.S. citizens who are coming to the United States to get married within 90 days of arrival.
- Persons who filed before October 1, 2000, for class membership in one of three "late amnesty" lawsuits (CSS v. Meese, LULAC v. INS, and Zambrano v. INS) and who are eligible under the LIFE Act's amended legalization provisions may apply to adjust status during a 12-month period that begins once regulations are issued. Spouses and unmarried children of the class action claimants will be protected from certain categories of removal and will be eligible for work authorization if they entered the United States before December 1, 1988 and resided in the United States on that date.