

IMMIGRATION GUIDE FOR AFT LEADERS



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Immigration policy is not just a hot-button issue, it is a life-threatening sea change for millions of people with whom we work. Families are being torn apart, legal residents—our neighbors—are being sent to prisons in foreign countries, and students are being arrested and deported for exercising their right to speak out. No one is safe, because if immigrants are treated without concern for the law, any resident is at risk.

There are so many changes in the way this country is treating immigrants—and the rest of us—it's hard to keep up. To help us all navigate this new territory, we have created three documents: a glossary of common immigration terms, a guide to the threats we are facing and a list of the actions we have already taken to make this right.



The AFT is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

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GLOSSARY

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As the AFT partners with other justice advocates addressing threats to our immigrant communities, some of us are eager to engage but might be missing the vocabulary to fully understand these challenging issues. This glossary can help.

Note that all the legal statuses mentioned below, which should protect people from deportation, are now under question, since the Trump administration has begun to illegally strip them away.

Amnesty

This word has been hijacked in recent times by Republican conservatives who use it to stifle progress on immigration legislation. President Reagan was the last U.S. president to successfully pass an amnesty program. Amnesty literally means “pardon,” so it can be misconstrued to mean a blanket pardon for anyone who has entered the country without legal status. This is not among the options for people seeking to remain residents in the United States; all routes to legal residency have strict requirements such as residency minimums, English language proficiency, fees and crime-free status, and are often limited to people from particular countries of origin.

DACA

DACA stands for Deferred Action for Childhood Arrivals. A person with DACA status is someone who was brought to the United States as a child and is granted permission to live, attend school and work here indefinitely—but not permanently. DACA has to be renewed every two years. No new DACA applicants are being accepted, but renewals are taking place. DACA does not provide a pathway to citizenship; citizenship must be pursued outside of DACA. The AFT has a number of members who have DACA, and many of our members interact with DACA students.

Dreamers

This is a term often used to describe undocumented students and people with DACA. It comes from the Development, Relief and Education for Alien Minors (DREAM) Act, a law that would have given them a path to legal residency. Congress has repeatedly failed to pass the DREAM Act and related versions of it since 2001.

Green card

This signifies that a foreign-born person is a “lawful permanent resident” or LPR, who can live, work and in some cases receive benefits in the United States. A person with a green card can also travel abroad and return freely. They cannot vote or hold office. Many people with green cards keep this status and never become U.S. citizens; often the reason is that they are intimidated by a complicated citizenship process.

Immigration Reform and Control Act

This 1986 law was the last major overhaul of immigration law and allowed undocumented immigrants a pathway to adjust their immigration status by applying for temporary legal status. Applicants had to have been living in the United States continuously for four years, pay a fee and demonstrate good moral character. Permanent residence status was available to applicants if they met additional requirements.

Naturalized citizen

Foreign-born people who are lawful permanent residents/hold a green card for five years (three years if they are married to a U.S. citizen) are eligible to apply for citizenship and become a naturalized citizen. To become citizens, they must show they can read, write and speak English and have knowledge of U.S. history. There is also a fee of \$725 and required paperwork that can be onerous and confusing.

TPS

Temporary Protected Status, or TPS, is granted to people from certain countries based on how dangerous or difficult it would be to live there. Such places are experiencing armed conflict or natural disaster recovery from incidents like hurricanes and earthquakes. TPS is granted for 6, 12 or 18 months at a time and can be renewed. TPS holders are protected from deportation and can work legally in the United States. Seventeen countries currently have TPS status, including Venezuela, Honduras, El Salvador, Nicaragua, Haiti, Afghanistan, Sudan, Syria and Ukraine. TPS does not provide a pathway to citizenship; citizenship must be pursued outside of TPS.

Unaccompanied child

When a child comes to the United States alone, unaccompanied, they typically are housed with a relative or an individual who has agreed to act as a sponsor. In the past, legal counsel has been available to them as they navigate the path to legal residence, but that counsel was recently revoked. There are records of unaccompanied children, so it is possible for Immigration and Customs Enforcement officers to track them down and target them for deportation.

Undocumented

Undocumented people live and work in the United States without a legal status. Not all undocumented immigrants crossed the border illegally. Some immigrants entered the country with a valid visa (student, tourist or work), and through the course of the years their visa expired. There are about 14 million undocumented immigrants in the United States, many of them working and raising families here, under the radar. They are at the greatest risk of being deported. Some can seek asylum, if their home countries are too dangerous for them to return to. To gain legal status, however, they usually have to return to their home countries and start over, applying for a visa, and they may never be able to return legally.

Visas: H-1B, F, M and J

These are the most common visas the AFT encounters among its members and the students we serve. A full list of dozens of visa types can be found [here](#).

- » The H-1B is a temporary, nonimmigrant visa for “specialty occupations.” H-1Bs are often for employees in fields like mathematics, engineering, technology and medical sciences. They usually last three years, and they may be extended up to six. The employer must file for the H-1B on behalf of their employee.
- » F and M visas are student visas. An F-1 visa is for attending grade school through higher ed. It also allows international students to stay in the United States while working in a field related to their degree for a period of time. An M visa is for vocational or other nonacademic training.
- » J-1 visas, also known as exchange visas, are for people in work- and study-based exchange programs. This category often includes professors and graduate workers. J-2 visas are for their spouses and children under the age of 21.



Here are more terms, perhaps less common but no less important. Thank you to our friends at Children Thrive Action Network for this list.

287(g) agreements: A formal written agreement between ICE and local law enforcement that permits local police officers and agencies to enforce federal immigration law.

Alien Enemies Act: A law passed in 1798 that provides the president with authority to detain and deport immigrants during times of war. It has been used only three times in U.S. history, with the most recent time being the incarceration of over 100,000 Japanese people during World War II.

Birthright citizenship: A legal right under the 14th Amendment of the Constitution that provides that anyone born on U.S. soil is a U.S. citizen.

Children's Health Insurance Program (CHIP): A government program that provides states matching federal funds to cover uninsured children.

Chilling effect: The effect of certain policies on individuals and communities that prevents them from engaging in certain activities (e.g., going to the doctor/school, applying for public benefits) because of fear that they or their family members will be detained/deported or that their ability to get a green card may be compromised.

DACA ACA rule: The DACA ACA rule, which was implemented under the Biden administration, expanded access to the Affordable Care Act marketplace for DACA recipients for the first time.

Deferred Enforced Departure (DED): A temporary administrative stay of removal for certain individuals from designated countries facing political or civic conflict or natural disaster.

Dreamers: Undocumented immigrants who arrived to the United States as children.

Due process: Fair treatment in criminal and civil proceedings that reinforces constitutional rights and fair procedures. It is what separates a free society from a police state.

Expedited removal: A process that allows immigration enforcement to deport certain noncitizens without a hearing from an immigration judge.

Family detention: The practice of detaining immigrant parents and children, including babies, together in large-scale detention facilities.

Five-year bar: The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 established a five-year waiting period for legal permanent residents in accessing federal public benefits for which they would otherwise be eligible, and a complete barrier for other immigrants, such as those with DACA and TPS.

Individual Taxpayer Identification Number (ITIN): A number used to pay taxes for those who do not have access to a Social Security number. By limiting things such as the COVID-19 stimulus payments or the Child Tax Credit to those with a Social Security number, it limits access to immigrant households who may not have one.

Laken Riley Act: A law passed in January 2025 that limits the due process of migrants by requiring federal officials to detain those charged or arrested for certain nonviolent or violent crimes, including children.

Mixed-status family: A family or household in which at least one member of the family has a different immigration status than another member. For example, a household in which the parents are undocumented but their children are U.S. citizens.

Parole: A status granted under the Secretary of Homeland Security's discretion to allow certain noncitizens to enter or remain in the United States for a limited period of time.

Plyler v. Doe: A Supreme Court case from 1982 that prevents states from barring undocumented children from public K-12 education.

Protected areas/sensitive locations: A federal administrative policy that has existed in many forms since 1993 until its rescission in 2025 that restricts immigration enforcement in/near areas providing essential services, like schools, hospitals and houses of worship. These terms are used interchangeably.

Public charge: A consideration process for determining whether to grant admission to the United States/a green card based on whether a person is likely to primarily depend on certain government benefits.

Sanctuary policies: A diverse set of policies that many cities, counties and states have adopted to garner trust between immigrant communities and local governmental actors, including local law enforcement. Many of these policies include limiting local cooperation with federal immigration enforcement.

SEVIS, or Student and Exchange Visitor Information System: The system of visas and visitor statuses related to visiting students and scholars.

Temporary Protected Status (TPS): A temporary legal status offered to individuals from certain countries with conditions that make it unsafe for them to return. TPS does not offer a pathway to citizenship.

Unaccompanied child: An individual under the age of 18 without legal immigration status and no parent or legal guardian who can take care of them in the United States.

THREATS WE ARE FACING

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College students and freedom of speech

Multiple students have been arrested and many more have had their visas revoked because of their participation in pro-Palestinian demonstrations—and sometimes for no reason at all. One example is Columbia University graduate Mahmoud Khalil, who was whisked away from his home in New York to a detention facility in Louisiana; another is Tufts University student Rumeysa Ozturk, who was handcuffed by masked men outside her apartment and also sent to Louisiana. Khalil had a green card—which made him a legal permanent resident. Ozturk had a valid student visa. While Ozturk was released May 9, Khalil was still being held in detention as of May 17. As of April 24, 1,800 students have had their visas revoked, leaving them vulnerable to deportation. [This story explains more.](#)

Deportations of legal U.S. residents and green card holders

Immigrants who are lawfully living in the United States are being scooped up in immigration raids. One example is Kilmar Abrego Garcia, an undocumented Salvadoran man who was legally allowed to stay in the country because gangs in El Salvador make his return to that country life-threatening. The administration admitted that Abrego Garcia was “mistakenly” arrested and a court ordered that he be retrieved from the notorious El Salvador prison he was brought to, but President Trump has not followed the court order, and Abrego Garcia remains incarcerated. Trump has threatened to deport U.S. citizens and talked about sending people to prisons in El Salvador and Libya. [This AFT video describes the deportation of Abrego Garcia.](#)

Unaccompanied minors lose legal representation

Close to 100,000 children came into the United States in 2024 seeking asylum at the border, unaccompanied by an adult. Until recently, the United States provided many of these most vulnerable newcomers with legal counsel to help them navigate the complicated immigration system. Now Trump has eliminated access to legal representatives, and children will have to obtain legal counsel on their own or represent themselves before immigration judges deciding their fate.

‘Safe spaces’ no longer safe

Places like churches, schools, college campuses and healthcare facilities were once off-limits for immigration-related detentions and arrests, so that people would feel safe getting the basic education, healthcare and freedom to worship that they need. Now what was called the “sensitive locations” policy has been eliminated and officers may enter these spaces—and have done so. Families are afraid to send their children to school. Healthcare providers say patients are skipping appointments, opting for telehealth or forgoing important procedures in case Immigration and Customs Enforcement officers show up. Places of worship, which have been sanctuaries for years, are also on alert. The AFT is distributing Know Your Rights materials so that if ICE shows up, people know they do not have to let them in unless they have a specific kind of signed warrant—a judicial warrant. [Read more about this here.](#)

Children’s rights to attend school threatened

For 43 years, the Supreme Court case *Plyler v. Doe* has preserved the right of every child, regardless of immigration status, to attend public school for free. Now this right is threatened: The Heritage Foundation, which was instrumental in creating Project 2025, has suggested that undocumented children be charged tuition to attend public schools. Trump is said to have discussed the possibility in his last term. Denying children the right to attend school would be devastating for our communities. The AFT is part of the [Education for All Campaign](#) dedicated to protecting all children’s right to a K-12 education.

THREATS WE ARE FACING

National immigration registry

The Trump administration has put into place a new rule that would require some immigrants to register with the government and get fingerprinted. Refusing to register can result in fines, imprisonment or both—but registering puts undocumented people at risk of detention. The stated purpose of the rule is to coerce self-deportation.

Birthright citizenship

For centuries, newcomers to this country—from the Irish and Chinese of the mid-1800s and Italians near the turn of the 20th century, to today's Latinos and others—have been assured that any child born in this country is automatically granted citizenship (with the notable exception of children from enslaved families). This right is written into our Constitution. But Trump's [Executive Order 14160](#) ignores the law of the land and cancels it. Nearly a dozen lawsuits have been filed to refute that order.

ACTIONS AND RESOURCES

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Collective bargaining agreements

Collective bargaining agreements are powerful tools to support and protect members who are on a work visa, green card or other temporary work authorization. The AFT has created a sample [memorandum of understanding](#) that can be brought to a bargaining table or meet-and-confer situation to negotiate on behalf of our members who are affected by the termination of DACA or the loss of work authorization or other immigration programs. This proposal can also be adapted to apply more broadly. Contact the AFT Legal Department at 202-393-7472 for support on bargaining provisions that protect immigrant employees and for help connecting with rapid response networks that deal with immigration enforcement actions in your area.

Know Your Rights workshops and materials

The AFT and its affiliates are holding Know Your Rights workshops to make sure people have the information they need to stay safe in case of an immigration enforcement action. We are holding them in partnership with community-based organizations and immigrant rights groups, to expand outreach and impact. We also have a repository of information, including pocket-sized Know Your Rights cards people can use as a reference in those panicked moments of confrontation.

Immigration legal services for members

The AFT makes discounts on legal services available to members through Union Plus, the AFL-CIO benefits program. [Learn more here.](#)

Information resources

Our immigration hub offers information on everything from how to support undocumented and refugee children to how to access legal advice, how to develop immigration preparedness plans and how to take action to support immigrant communities. [Learn more here.](#)

Rapid response reporting

If members witness an immigration enforcement violation, they can [report it to the AFT using this form](#), and the union will help get resources out to communities that need them.

Solidarity activism

The AFT has powerful allies in our immigrant advocacy work. We support one another and share knowledge at events, workshops and education opportunities; back each other up in lawsuits and legal actions; and work together to influence immigration policy through legislation, elections, policymaking and more. Among our allies are some of the most influential immigrant advocates, including the Labor Council for Latin American Advancement, known as LCLAA; the National Immigration Law Center, United We Dream, the Center for Law and Social Policy, and Kids in Need of Defense.

Together We Rise Citizenship Clinics

There are 9 million lawful permanent residents in the United States who are eligible for citizenship but have hesitated to become citizens because the process is expensive and daunting. The AFT helps guide them at these clinics, with free legal advice, assistance with paperwork and more. So far, the AFT has held clinics in four states, reaching more than 2,400 individuals and helping 1,370 lawful permanent residents become U.S. citizens. In addition to this important work, each event also supports a community celebration with children's activities, book giveaways and other activities.