



Anne Davis  
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## **The Merit-Based Mercy Plan: My Framework for Immigration Worker Carve-Outs in California**

The Mercy Plan proposes a legal carve-out framework for certified and vetted workers in essential industries such as agriculture, hospitality, health care, construction, dairy, homecare, house cleaning, yard maintenance, and other sectors as defined.

This initiative would establish a pathway for undocumented immigrants and their immediate families to obtain legal status through a rigorous vetting process, provided they have been employed by a verified employer or have worked in an essential industry for a specified number of years.

### ***Participation in the California Plan would be available to:***

- Certified workers who can document at least five years of employment in the same field or industry, with verified employment history.
- Certified workers who can provide three credible references attesting to their work history and character, including at least one reference from the business owner and/or direct employer.
- Certified workers who have no criminal record and can demonstrate they are contributing members of society.
- Certified workers who have paid taxes and can provide an EIN number. If they have not paid taxes, they would have up to 10 years to repay back taxes through a negotiated settlement. Employers or sponsors may contribute up to 50% of the negotiated amount, but workers would be responsible for the remaining balance.
- Certified workers who pass the vetting process and enroll in the plan would immediately be granted a 10-year, annually renewable work visa, allowing them to continue working in their chosen industry while keeping their immediate family together. To maintain their certification, they would be required to check in every year, complete an interview, undergo a background check, and pay a set renewal fee. After 10 years, they would be eligible to begin the process of applying for permanent legal residency.
- Certified workers must have been continuously present in the United States since at least January 1, 2021. Individuals who arrived after that date and do not hold another valid visa or legal authorization to remain would be subject to deportation.

- Certified workers who, after 10 years of paying fees and back taxes, renewing their work certification, maintaining continuous employment, and demonstrating English proficiency, may then pay a set application fee and a determined restitutionary fine to become eligible to apply for a Green Card.

The underlying value of this plan recognizes that, for over 40 years, we as Americans all share responsibility for illegal immigration. In every community across the nation, we have directly or indirectly benefited from the talents, creativity, and hard work of undocumented residents among us. They have quietly supported countless American businesses and families — contributing both creatively and financially — often doing jobs few others were willing to do, helping industries grow and households thrive. Prior administrations and Congresses failed to adequately secure the border, enforce the law, or pass meaningful immigration reform to address this reality. Many individuals, businesses, and industries hired undocumented workers, and Americans have benefited greatly from their labor, skills, and dedication.

For those who have worked, contributed, and played a significant role in essential industries, we believe that mass deportation is not the only possible solution to the challenges of illegal immigration. Instead, creating a lawful pathway for these workers and their immediate families — spouse and dependent children — to apply for work certification in their industry offers a solution that balances mercy with justice. This plan provides an opportunity for immigrants to come into compliance with the law, continue strengthening our communities and economy, and keep contributing their talents to our nation.

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