

Pathways to American Transition and Homebuilding Act of 2026 (PATH Act)

SEC. 100. DEFINITIONS.

For purposes of this Title:

(a) Secretary.

The term “Secretary” means the head of the United States Immigration and Citizenship Administration (USICA).

(b) Lawful Presence.

The term “lawful presence” means authorization to remain in the United States under any status or pending application recognized under this Title.

(c) Continuous Residence.

The term “continuous residence” means physical presence in the United States for the required period, subject to reasonable absences as defined by the Secretary.

(d) Serious Criminal Conduct.

The term “serious criminal conduct” means conviction of a violent felony, human trafficking offense, or other offense designated by the Secretary that poses a significant threat to public safety.

(e) Complete Application.

The term “complete application” means an application containing all required forms, documentation, and information as defined by the Secretary.

SEC. 101. SHORT TITLE.

This Title may be cited as the “**Pathways to American Transition and Homebuilding Act of 2026**” (PATH Act).

SEC. 102. PURPOSE.

The purposes of this Title are to:

1. Establish a simplified, transparent, and accessible immigration system;
2. Replace fragmented visa categories with a unified structure;
3. Create a predictable pathway to permanent residency and citizenship;
4. Eliminate unnecessary administrative backlogs;
5. Promote economic growth, family unity, and lawful migration;
6. Align immigration policy with constitutional due process and civil administration principles established under this Act.

SEC. 103. REPEAL AND REPLACEMENT OF PRIOR VISA FRAMEWORK.

(a) Repeal.

All nonimmigrant and immigrant visa classifications under the Immigration and Nationality Act (INA) are hereby repealed and replaced by the classifications established in this Title.

(b) Supersession.

Any provision of federal law inconsistent with this Title shall have no force or effect upon enactment.

SEC. 104. ADMINISTRATIVE AUTHORITY.

(a) Designation.

The United States Immigration and Citizenship Administration (USICA) shall serve as the primary agency responsible for administering this Title.

(b) Responsibilities.

USICA shall oversee visa issuance, status adjudication, compliance processes, and implementation of all provisions under this Title.

SUBTITLE A — VISA CLASSIFICATIONS

SEC. 110. ESTABLISHMENT OF SIX VISA CATEGORIES.

The United States shall maintain the following visa categories:

1. Work Visa (W-Visa)
2. Family Visa (F-Visa)
3. Humanitarian Visa (H-Visa)
4. Education Visa (E-Visa)
5. Builder Visa (B-Visa)
6. Visitor Visa (V-Visa)

No additional visa categories may be created except by Act of Congress.

SEC. 111. WORK VISA (W-VISA).

(a) Eligibility.

An individual may be granted a W-Visa upon demonstrating intent to engage in lawful employment within the United States.

(b) Subcategories.

The Secretary shall establish administrative classifications within the W-Visa, including but not limited to:

- Skilled labor
- Essential labor
- Seasonal labor
- Independent or entrepreneurial activity
- Religious or nonprofit service work
- Transportation and crew-based employment
- Cultural or exchange-based employment programs
- Individuals of extraordinary ability or national interest

(c) Portability.

W-Visa holders shall not be restricted to a single employer and may freely change employment. No employer shall have the authority to revoke, cancel, or otherwise control an individual's immigration status.

(d) Duration.

Initial validity shall be up to 3 years, renewable.

(e) Worker Protections.

All W-Visa holders shall be entitled to full federal and state labor protections.

Violations of labor laws involving W-Visa holders shall constitute grounds for civil and criminal penalties, and affected individuals may be eligible for continued status or adjustment of status as determined by the Secretary.

(f) Administrative Flexibility.

The Secretary may establish additional sub-classifications as necessary to meet labor market demands, provided such classifications remain within the scope of the W-Visa and do not create new visa categories.

(g) Employment Transition Period.

A W-Visa holder who separates from employment shall maintain lawful status for a period of not less than 90 days to secure new employment or transition to another eligible status.

SEC. 112. FAMILY VISA (F-VISA).

(a) Immediate Eligibility.

Spouses, children under the age of 21, and parents of U.S. citizens or lawful residents shall be eligible without numerical limitation.

(b) Extended Family.

Additional family categories, including adult children and siblings, may be admitted under annual allocations determined by Congress.

Such allocations shall be structured to prevent excessive backlog accumulation and ensure timely processing.

(c) Processing Deadline.

All F-Visa applications shall be adjudicated within 12 months.

Failure to adjudicate within this timeframe shall result in automatic provisional approval, absent a documented national security concern.

(d) Relationship Verification.

The Secretary shall establish reasonable procedures to verify the legitimacy of claimed family relationships, including safeguards against fraud, while ensuring such procedures do not create undue burden or delay.

(e) Adjustment of Status.

Eligible individuals present within the United States may apply for adjustment to F-Visa status without departing the country.

(f) Family Unity Consideration.

In all adjudications under this section, the Secretary shall prioritize the preservation of family unity and minimize unnecessary separation.

SEC. 113. HUMANITARIAN VISA (H-VISA).

(a) Eligibility.

An individual may be granted an H-Visa if they demonstrate a credible need for protection, including but not limited to:

- Persecution or well-founded fear of persecution
- Armed conflict or generalized violence
- Human trafficking or exploitation
- Natural disasters or environmental displacement
- Other urgent humanitarian circumstances as determined by the Secretary

(b) Initial Protection Determination.

Applicants shall receive an initial protection determination based on a credible fear or reasonable possibility of harm standard, as defined by the Secretary.

(c) Rights.

Individuals granted or applying for H-Visa status shall be entitled to:

- Immediate work authorization
- Protection from removal while an application is pending
- Access to legal counsel pursuant to this Act
- Case management support
- Access to emergency and essential services, including healthcare

(d) Adjudication Timeline.

Applications must be adjudicated within 180 days.

Failure to adjudicate within this timeframe shall result in automatic provisional approval, absent a documented national security concern.

(e) Adjustment of Status.

Individuals granted H-Visa status may apply for Provisional Residency after a period of not more than 2 years, subject to compliance with applicable requirements.

SEC. 114. EDUCATION VISA (E-VISA).

(a) Eligibility.

Individuals enrolled in accredited educational, vocational, training, or cultural exchange programs within the United States.

(b) Work Authorization.

E-Visa holders shall be authorized to engage in part-time employment during periods of study and full-time employment during designated academic breaks.

Such employment may include on-campus or off-campus work, as defined by the Secretary.

(c) Transition.

E-Visa holders may apply for transition to a W-Visa or Provisional Residency without departing the United States.

Time spent in E-Visa status shall count toward eligibility for Provisional Residency.

(d) Post-Completion Work Authorization.

E-Visa holders who complete a qualifying program shall be eligible for a post-completion work authorization period of not less than 2 years.

(e) Protections.

E-Visa holders shall be entitled to labor protections consistent with federal and state law, and institutions participating in E-Visa programs shall be subject to oversight to prevent exploitation or misrepresentation.

(f) Priority Fields.

The Secretary may designate fields of study critical to national interest for extended work authorization or expedited transition pathways.

SEC. 115. BUILDER VISA (B-VISA).

(a) Eligibility.

An individual may be granted a B-Visa if they demonstrate intent to establish, invest in, or contribute to economic activity within the United States, including but not limited to business creation, innovation, or workforce development.

(b) Scope.

Eligible individuals may include:

- Entrepreneurs establishing new business ventures
- Investors providing capital to existing or new enterprises
- Individuals creating or supporting employment opportunities
- Founders of startups, small businesses, or community-based enterprises

(c) Requirements.

Applicants shall demonstrate a viable plan for economic contribution, which may include:

- Business formation or expansion plans
- Investment of capital or resources
- Job creation or workforce participation
- Innovation, research, or development activities

The Secretary shall establish reasonable evidentiary standards that do not impose excessive financial thresholds or barriers to entry.

(d) Conditional Status and Review.

B-Visa holders shall be granted initial status for a period of up to 3 years.

Continuation or transition to Provisional Residency shall be contingent upon demonstrated progress toward the proposed economic activity.

(e) Transition.

B-Visa holders may apply for Provisional Residency upon demonstrating ongoing economic activity, compliance with applicable laws, and participation in the U.S. economy.

(f) Anti-Abuse Measures.

The Secretary shall establish safeguards to prevent fraudulent or non-operational business activity, while ensuring that legitimate small and emerging enterprises are not subject to undue regulatory burden.

SEC. 116. VISITOR VISA (V-VISA).

(a) Purpose.

Short-term entry for tourism, family visits, business travel, transit, official or diplomatic purposes, or other temporary stays as defined by the Secretary.

(b) Duration.

A V-Visa shall permit stays of up to 180 days per visit and may be issued as a multi-entry visa valid for up to 10 years.

(c) Extended Stay.

An extended stay of up to 12 months may be granted upon demonstration of financial self-sufficiency, health coverage, and intent to comply with the terms of admission, as determined by the Secretary.

(d) Employment Restrictions.

V-Visa holders shall not engage in employment within the United States, except for remote work conducted for a non-United States employer or as otherwise authorized by the Secretary.

(e) Conversion.

V-Visa holders may apply for a change of status to another visa category from within the United States, provided they meet all eligibility requirements and apply prior to the expiration of their authorized stay.

(f) Compliance Measures.

The Secretary shall implement reasonable measures to promote compliance with authorized stay periods, including notification systems and streamlined extension processes.

(g) Grace Period.

V-Visa holders shall be provided a grace period of not less than 30 days following the expiration of authorized stay to depart or apply for adjustment of status.

SUBTITLE B — UNIFIED STATUS SYSTEM

SEC. 120. ESTABLISHMENT OF FOUR-TIER STATUS PATHWAY.

All noncitizens shall progress through the following status levels:

1. Temporary Legal Status
2. Provisional Residency
3. Permanent Residency
4. Citizenship

(a) Pending Status Protection.

Individuals with a pending application for any status under this Title shall be considered in lawful status until a final determination is made.

(b) Conditional Status.

Certain statuses may be granted on a conditional basis, subject to periodic review based on compliance with applicable requirements.

(c) Sequential Progression.

Noncitizens shall progress through each status level in sequence. Eligibility for a subsequent status shall require prior attainment of the preceding status, unless otherwise explicitly provided under this Title.

SEC. 121. TEMPORARY LEGAL STATUS.

(a) Grant of Status.

Temporary Legal Status shall be granted upon lawful admission under any visa category or upon approval of status within the United States under this Title.

(b) Rights and Protections.

Individuals granted Temporary Legal Status shall be entitled to:

- Legal presence within the United States
- Work authorization, except where limited under V-Visa provisions
- Protection from removal except in cases of violation of law or status conditions
- Access to administrative and legal processes
- Eligibility to apply for status adjustment under this Title

(c) Duration.

Temporary Legal Status shall remain valid for the duration of the individual's authorized stay under the applicable visa category, unless otherwise adjusted or revoked pursuant to this Title.

(d) Compliance.

Individuals in Temporary Legal Status shall comply with the terms and conditions of their visa category and applicable laws.

Noncompliance may result in review or adjustment of status in accordance with this Title.

(e) Eligibility for Progression.

Individuals in Temporary Legal Status may apply for Provisional Residency upon meeting the requirements established under this Title.

SEC. 122. PROVISIONAL RESIDENCY.

(a) Eligibility.

An individual may be granted Provisional Residency upon demonstrating:

- A minimum of 2 years of lawful presence in the United States
- Compliance with applicable tax and legal obligations
- Ongoing participation in the United States through employment, education, caregiving, or other lawful activity

(b) Rights and Protections.

Individuals granted Provisional Residency shall be entitled to:

- Continued work authorization
- Protection from removal except for serious criminal conduct or material violation of status conditions
- Authorization for travel outside the United States and reentry
- Access to administrative and legal processes
- Eligibility to petition for family members as defined under this Title

(c) Duration.

Provisional Residency shall be granted for a period of up to 3 years and may be renewed or extended as necessary to allow for transition to Permanent Residency.

(d) Transition to Permanent Residency.

Individuals granted Provisional Residency may apply for Permanent Residency upon meeting the requirements established under this Title, including continued lawful presence and demonstrated participation in the United States.

(e) Revocation.

Provisional Residency may be revoked only upon a finding of serious criminal conduct, fraud, or material violation of status conditions, as determined through due process under this Title.

(f) Stability Consideration.

In administering Provisional Residency, the Secretary shall prioritize long-term stability, continuity of residence, and integration into the United States.

SEC. 123. PERMANENT RESIDENCY.

(a) Eligibility.

An individual may be granted Permanent Residency upon demonstrating:

- A minimum of 5 years of total lawful residence in the United States
- Continued compliance with applicable laws and tax obligations
- Demonstrated participation in the United States through employment, education, caregiving, or other lawful activity

(b) Rights and Protections.

Individuals granted Permanent Residency shall be entitled to:

- Indefinite residence within the United States
- Full employment rights without restriction
- Authorization for international travel and reentry
- Protection from removal except in cases of serious criminal conduct or fraud
- Access to administrative and legal processes
- Eligibility to petition for family members as defined under this Title

(c) Duration.

Permanent Residency shall be granted on an indefinite basis and shall remain valid unless revoked pursuant to this Title.

(d) Revocation.

Permanent Residency may be revoked only upon a finding of serious criminal conduct, fraud, or material violation of law, as determined through due process under this Title.

(e) Eligibility for Citizenship.

Individuals granted Permanent Residency shall be eligible to apply for citizenship upon meeting the requirements established under this Title.

(f) Integration Consideration.

In administering Permanent Residency, the Secretary shall recognize long-term residence and integration into the United States as a basis for stability and continued status.

SEC. 124. CITIZENSHIP.

(a) Eligibility.

An individual may be eligible for citizenship upon demonstrating:

- A minimum of 5 years of total lawful residence in the United States, or 3 years for individuals meeting criteria established by the Secretary for expedited eligibility
- Continuous residence and physical presence as defined by the Secretary
- Basic proficiency in the English language
- Knowledge of United States civics and government

(b) Naturalization Process.

The naturalization process shall include:

- A standardized application process administered through the system established under this Title
- A timely adjudication of applications in accordance with statutory deadlines
- An interview or assessment, if required, limited to verification of eligibility criteria
- An oath of allegiance to the United States

(c) Adjudication Timeline.

Applications for citizenship shall be adjudicated within 12 months.

Failure to adjudicate within this timeframe shall result in automatic approval, absent a documented national security concern.

(d) Denial and Review.

Any denial of a citizenship application shall include a written explanation and shall be subject to administrative and judicial review.

(e) Recognition of Prior Integration.

Requirements for English proficiency and civics knowledge shall account for prior completion of such requirements under earlier status levels.

SUBTITLE C — PROCESSING AND ADMINISTRATION

SEC. 130. PROCESSING DEADLINES.

(a) Adjudication Timeframes.

All applications shall be adjudicated within the following timeframes:

- 30 days for Visitor Visas
- 6 months for Humanitarian cases
- 12 months for all other categories

(1) Commencement of Review Period.

The adjudication period shall begin upon receipt of a complete application, as defined by the Secretary.

(2) Completeness Standard.

The Secretary shall establish clear and reasonable standards for determining when an application is complete, and shall notify applicants of any deficiencies within a defined timeframe.

(3) Tolling of Deadlines.

Adjudication timelines may be paused for a defined period in cases involving requests for additional evidence, fraud investigations, or national security review, as determined by the Secretary.

(b) Automatic Approval.

Failure to adjudicate within statutory deadlines shall result in automatic provisional approval, provided that:

- The applicant has submitted a complete application; and
- There is no documented finding of ineligibility, fraud, or national security concern

(c) Notification.

Applicants shall receive timely notice of application status, including any delays, requests for additional information, or determinations.

(d) Agency Accountability.

The Secretary shall implement performance standards and reporting requirements to ensure compliance with adjudication timelines under this section.

SEC. 131. DIGITAL IMMIGRATION SYSTEM.

(a) Establishment.

USICA shall establish a unified digital platform to support immigration processes under this Title, including:

- Application submission and document upload
- Real-time status tracking
- Secure communication between applicants and the agency
- Scheduling of interviews or appointments
- Submission of additional evidence
- Integration with adjudication and case management systems

(b) Access and Transparency.

Applicants shall have real-time access to case status, including clear explanations of application progress, required actions, and expected timelines.

c) Data Protection.

The system shall ensure the protection of personal data and privacy in accordance with applicable federal law and cybersecurity standards.

(d) Accessibility.

The system shall be accessible to all users, including through multilingual support, mobile compatibility, and accommodations for individuals with disabilities.

(e) Alternative Access.

The Secretary shall ensure that individuals unable to access digital systems are provided alternative methods of application and communication.

(f) Implementation Timeline.

The digital system shall be operational within 12 months of enactment of this Title.

SEC. 132. PORTABILITY OF STATUS.

(a) General Rule.

Immigration status granted under this Title shall belong to the individual and shall not be contingent upon continued employment, sponsorship, or institutional affiliation, except as otherwise explicitly provided under this Title.

(b) Employer Limitations.

No employer shall have the authority to revoke, cancel, or otherwise control an individual's immigration status.

(c) Institutional Affiliation.

Where immigration status is associated with enrollment or participation in a program, loss of such affiliation shall not result in immediate loss of status, and individuals shall be provided a reasonable period to transition to another eligible status.

(d) Transition Rights.

Individuals may transition between visa categories or status levels without loss of lawful presence, provided they meet eligibility requirements under this Title.

(e) Protection from Retaliation.

Any attempt by an employer, sponsor, or other entity to threaten or retaliate against an individual based on their immigration status or exercise of rights under this section shall be subject to penalties as determined by the Secretary.

(f) Continuity of Status.

Individuals shall retain lawful status for a defined period following changes in employment, education, or sponsorship, as established under this Title.

SEC. 133. DUE PROCESS AND REVIEW.

(a) Right to Review.

Any individual subject to a determination under this Title shall have the right to administrative and judicial review consistent with due process of law.

(b) Notice of Determination.

All determinations shall be provided in writing and shall include the basis for approval or denial.

(c) Opportunity to Respond.

Applicants shall be provided a reasonable opportunity to respond to requests for additional evidence or adverse findings prior to final determination.

SEC. 134. CIVIL IMMIGRATION ENFORCEMENT.

(a) Civil Administration.

Immigration enforcement under this Title shall be administered as a civil matter.

(b) Compliance-Oriented Enforcement.

Violations of status shall be addressed through administrative processes prioritizing compliance, correction of status, or transition to eligible status where possible.

(c) Proportional Remedies.

Penalties for violations shall be proportional and may include warnings, fines, or status review, but shall not result in removal except in cases involving serious criminal conduct or repeated material violations.

SEC. 135. INTERAGENCY COORDINATION.

(a) Coordination.

USICA shall coordinate with relevant federal, state, and local agencies to ensure efficient implementation of this Title.

(b) Data Sharing.

Information sharing shall be conducted in a manner consistent with privacy protections and limited to purposes necessary for adjudication, security screening, and program administration.

SEC. 136. NON-DISCRIMINATION.

All programs, adjudications, and decisions under this Title shall be conducted in accordance with federal civil rights laws and shall not discriminate on the basis of race, religion, nationality, gender, or other protected characteristics.

SUBTITLE D — LEGALIZATION PROGRAM

SEC. 140. EARNED LEGAL STATUS PROGRAM.

(a) Eligibility.

An individual may be eligible for the Earned Legal Status Program upon demonstrating:

- Continuous physical presence in the United States for not less than 2 years prior to the date of application, as defined by the Secretary
- No conviction for a serious violent felony
- Compliance with applicable tax obligations or a commitment to come into compliance
- Completion of identity verification and background screening

(b) Relief.

Eligible individuals shall be granted Provisional Residency upon approval of their application under this section.

(c) Pathway.

Individuals granted Provisional Residency under this section shall be subject to the same requirements, timelines, and progression standards applicable to all individuals under this Title for Permanent Residency and Citizenship.

(d) Protection During Application.

Individuals with a pending application under this section shall be considered in lawful status and protected from removal until a final determination is made.

SUBTITLE E — REGIONAL AND ECONOMIC ALIGNMENT

SEC. 150. REGIONAL IMMIGRATION PROGRAMS.

(a) Authority.

States and municipalities may partner with USICA to support the administration of immigration programs under this Title.

All final determinations of immigration status shall remain under federal authority.

(b) Regional Sponsorship.

States and municipalities may submit requests to USICA identifying labor shortages, population needs, or economic priorities.

USICA may allocate visa opportunities or prioritize applications consistent with such requests.

(c) Non-Discrimination.

Programs established under this section shall be administered in a manner consistent with federal civil rights laws and shall not discriminate on the basis of race, religion, nationality, or other protected characteristics.

(d) Program Design.

USICA shall establish guidelines for regional immigration programs, including application procedures, eligibility criteria, and coordination with local governments.

(e) Objectives.

Regional immigration programs may be used to:

- Address local labor shortages
- Support population stabilization or growth
- Facilitate targeted economic development
- Strengthen community-based workforce initiatives

(f) Reporting.

USICA shall monitor and report on the outcomes of regional immigration programs, including economic impact and program effectiveness.

SUBTITLE F — FINAL PROVISIONS

SEC. 160. RULEMAKING AUTHORITY.

(a) Rulemaking Authority.

The Secretary of USICA shall promulgate regulations necessary to implement this Title not later than 12 months after the date of enactment.

Such regulations shall be consistent with the purposes and structure of this Title, including the establishment of a unified visa system and pathway to citizenship.

(b) Public Notice and Comment.

Regulations promulgated under this section shall be subject to public notice and comment procedures in accordance with applicable law.

(c) Limitation.

The Secretary may not create additional visa categories beyond those established in this Title through regulation.

(d) Interim Implementation.

The Secretary may issue interim regulations as necessary to ensure timely implementation of this Title.

SEC. 161. EFFECTIVE DATE.

(a) General Effective Date.

Except as otherwise provided in this Title, the provisions of this Title shall take effect 12 months after the date of enactment.

(b) Phased Implementation.

The Secretary may implement provisions of this Title on a phased basis prior to the general effective date, including provisions related to:

- Protection of individuals with pending applications
- Portability of status
- Processing improvements and administrative reforms

(c) Full Implementation.

All provisions of this Title, including visa classifications and status pathways, shall be fully implemented not later than 12 months after the date of enactment.

SEC. 162. TRANSITION.

(a) General Transition Eligibility.

All individuals physically present in the United States on the date of enactment shall be eligible to apply for status under this Title, subject to the requirements and procedures established herein, without penalty, including the absence of additional fines, bars to eligibility, or disqualification based solely on prior immigration status.

(b) Application Requirements.

Individuals applying under this section shall be subject to identity verification, background screening, and eligibility requirements applicable to the status for which they apply.

(c) Protection During Transition.

Individuals with a pending application under this Title shall be considered in lawful status and protected from removal until a final determination is made.

(d) Integration into Status Pathway.

Individuals approved under this section shall enter the status pathway established under this Title at the appropriate level based on eligibility.

SEC. 163. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out this Title, including funding for staffing, technology, and administrative infrastructure.