

BORDER SECURITY, ECONOMIC OPPORTUNITY AND IMMIGRATION MODERNIZATION ACT

Pre-Title and Title I: Border Security

Title one of the bill and its preamble address issues of border security. It establishes the security goals that must be achieved within 5 years, including “operational control” (90% illegal border crossing effectiveness rate) of high traffic areas and of the southwest border. Metrics are established to measure illegal border crossing prevention, drug seizures, and other data. 3,500 additional CBP officers will be hired. A plan to implement an entry-exit system must be submitted. The title provides an alternate border security plan that includes required “triggers,” or goals that must be met, before the bill’s legalization plan can be implemented.

Title II: Immigrant Visas

This title addresses permanent legal status in the United States. It creates a Registered Provisional Immigrant program for undocumented immigrants that allows them to apply for citizenship in 13 years, after paying taxes and penalties, passing criminal and security background checks, and maintaining employment. Shorter paths to citizenship are provided for DREAMers (undocumented young people brought to the U.S. as children) and for agricultural workers, with similar fees and security checks. This title also provides sufficient visas to erase the current backlog of family and employment-based visa applicants in the next 7 years, ensuring that no undocumented immigrant obtains permanent resident status before others in line. The bill increases the number of immigrant visas, increases visas for highly skilled workers in technical fields, eliminates or changes some family-based immigration programs, and creates a new merit-based system that is based on points accrued through education, employment, and family ties. A “W” visa is created for agricultural workers that is easier for U.S. employers to use and contains important protections for immigrant workers and U.S. workers.

Title III: Interior Enforcement

This title addresses DHS’s ability to enforce immigration laws while correcting procedural problems. Central to Title III is a phased in E-Verify employment eligibility verification program that will be mandatory for all employers in 5 years. Employers that hire unauthorized immigrants are subject to increased fines and criminal penalties. The bill also addresses important refugee and asylum issues, enhances due-process protections in the immigration courts, increases the oversight of detention facilities, and toughens penalties for gang-related convictions and other criminal offenses, such as drunk driving.

Title IV: Reforms to Nonimmigrant Visa Programs

This title reforms the nonimmigrant visa programs for skilled workers and creates new programs for less-skilled workers, investors, and visitors. The visa cap on the H-1B skilled-worker program is raised while worker wages and job protections are increased. A “W” nonimmigrant visa for non-agricultural less-skilled workers is created that is easier for employers to use and contains important worker protections. A new nonimmigrant investor visa and an immigrant investor visa are also created to encourage foreign investment.