

Summary of the White House Proposal

Revamp green card system and “clean up” family backlogs by cutting family visa preferences: A revised immigration system would put the emphasis on employment and talent rather than family ties. It would eliminate the 4th preference (brothers and sisters of U.S. citizens), eliminate the 3rd preference (adult married children of U.S. citizens), eliminate the 1st preference (adult unmarried children of U.S. citizens), and place caps and waiting periods on parents of U.S. citizens. It would also eliminate the diversity visa. Those who have played by the rules and are still in the family backlog would continue to be eligible to immigrate after re-applying and paying \$500. The new system would be a revised family system with the elimination of the above mentioned categories to end “chain migration” plus a merit-based point system that would emphasize skill level, education level, as well as employer recommendation for low-skilled immigrant workers. Additional points would be awarded for home ownership, people with health insurance, level of school success of children of applicants, learning English and other equities.

Bring illegal workers out of the shadows by giving them indefinite temporary status: All undocumented immigrants wishing to benefit must register within a 12-month period beginning six months after enactment. After the enrollment period and after passing background checks, the immigrant may obtain a new “Z” visa. The Z-visa is good for 3 years and is renewable every 3 years indefinitely, but in order to renew it initially (after 3 years) the person must pass English/civics naturalization test. At *each* application, the immigrant must pay a \$2,000 fine *plus* a \$1,500 processing fee *plus* any Social Security tax collected from the immigrant while working illegally is forfeited (so, it will cost \$3,500 every three years). Z visa holders are not eligible for any public benefits except emergency care and elementary and secondary education. They may not petition for any relatives. After regular immigration backlogs are cleared (and no new numbers are provided to clear the family backlogs), Z visa holders may apply for permanent residence, but will have to pay an *additional* \$10,000 fine and will have to apply in the immigrant’s home country, through existing consular processes. Applicants will be sifted based on the new point system that includes education, English proficiency, equities in the U.S., and other criteria mentioned above.

Temporary Worker Programs: A new “Y” visa would be created for temporary workers. The number of visas would adjust every two years depending on market need. *Non-seasonal workers* would get two-year visas, then must return home for six months, and may get two more two-year visas, with six months back home in between for a total of 6 years of working. They may not bring family members. *Seasonal workers* would get a nine-month visa, then the worker must return home for three months, after which the workers may get another nine-month visa that is renewable indefinitely (in the same nine months in, three months out cycle). Family members may not accompany the worker. There is a \$1,500 fee for Y visas. Employers must show U.S. workers are not available. Visas are portable for non-seasonal workers. Seasonal workers must stay with the same employer. If they want to switch employers they must leave or “cool off” outside the country for at least a year. There is no cap on the number of agricultural seasonal visas. H-2A and H-2B programs are eliminated. Y visa holders cannot stay in the US at conclusion of 6 years unless a green card is approved (not just in process). Y visa holders are not barred from applying for permanent residence through the merit-based system, but must apply outside the U.S. and would be competing with high-skilled workers through the merit-based visa system.

Enforcement: Creates an employment verification system for all workers using secure IDs. Provides for increased resources at the border, and much larger fines for employers who hire unauthorized workers. Future illegal entrants are permanently barred from the U.S.

Triggers: The new worker programs and the green card “rebalancing” can only start after “hard ‘triggers’” have been met. These include, on the border: having border patrol fully staffed at 18,300; 200 miles of vehicle barrier; 370 miles of fencing; contracts in place for more electronic surveillance; and expansion of mandatory detention and expedited removal. In the interior: secure identification “tools for all workers and employment verification underway; and the registration of undocumented immigrants (by 18 months after enactment) completed.