

Fact Sheet

May 17, 2007

Contact: DHS Press Office, 202-282-8010

Border Security and Immigration Reform

Administration and Bipartisan Group of Senators Reach Bipartisan Agreement on Comprehensive Immigration Reform

Today, Administration Officials and A Bipartisan Group of Senators Reached Agreement on Comprehensive Immigration Reform Legislation. The proposal includes:

- **Putting Border Security And Enforcement First:** Border security and worksite-enforcement benchmarks must be met before other elements of the proposal are implemented.
- **Providing Tools For Employers To Verify The Eligibility Of The Workers They Hire:** Employers will be required to verify the work eligibility of all employees using an employment eligibility verification system, while all workers will be required to present stronger and more verifiable identification documents. Tough new anti-fraud measures will be implemented and stiff penalties imposed on employers who break the law.
- **Creating A Temporary Worker Program:** To relieve pressure on the border and provide a lawful way to meet the needs of our economy, the proposal creates a temporary worker program to fill jobs Americans are not doing. To ensure this program is truly "temporary," workers will be limited to three two-year terms, with at least a year spent outside the United States between each term. Temporary workers will be allowed to bring immediate family members only if they have the financial ability to support them and they are covered by health insurance.
- **No Amnesty For Illegal Immigrants:** Illegal immigrants who come out of the shadows will be given probationary status. Once the border security and enforcement benchmarks are met, they must pass a background check, remain employed, maintain a clean criminal record, pay a \$1,000 fine, and receive a counterfeit-proof biometric card to apply for a work visa or "Z visa." Some years later, these Z visa holders will be eligible to apply for a green card, but only after paying an additional \$4,000 fine; completing accelerated English requirements; getting in line while the current backlog clears; returning to their home country to file their green card application; and demonstrating merit

under the merit-based system.

- **Strengthening The Assimilation Of New Immigrants:** The proposal declares that English is the language of the United States and calls on the United States Government to preserve and enhance it, as well as enacting accelerated English requirements for many immigrants. In addition, the DHS Office of Citizenship will be expanded to include coordinating assimilation efforts in its mission, and the Education Secretary will make an English instruction program freely available over the Internet.
- **Establishing A Merit System For Future Immigration:** The proposal establishes a new merit-based system to select future immigrants based on the skills and attributes they will bring to the United States. Under the merit-based system, future immigrants applying for permanent residency in the U.S. will be assigned points for skills, education, and other attributes that further our national interest including: ability to speak English; level of schooling, including added points for training in science, math, and technology; job offer in a specialty or high-demand field; employer endorsement; and family ties to the U.S.
- **Ending Chain Migration:** The immigration system would be reformed to better balance the importance of family connections with the economic needs of our country by replacing the current system, where nearly two-thirds of green cards are awarded to relatives of U.S. citizens, with a system in which future family immigration will focus on the nuclear family and parents.
- **Clearing The Family Backlog In Eight Years:** Millions of family members of U.S. citizens now wait years in line for a green card, with some waits estimated at as long as 30 years. Family members who have applied legally and have lawfully waited their turn in line will receive their green card within eight years.

Putting Border Security and Enforcement First

Border Security And Worksite Enforcement Benchmarks Must Be Met Before A Temporary Worker Program Is Implemented. These benchmarks include:

- Miles of fence constructed.
- Number of Border Patrol Agents hired.
- "Catch and Return" continues at the border.
- Employment Eligibility Verification System ready to process all new hires.

The Proposal Establishes New Penalties For Border Crimes And Gives The Border Patrol Additional Tools To Stop Illegal Border Crossings. Through the deployment of additional Border Patrol agents with supporting equipment, the construction of additional fencing and vehicle barriers in targeted areas, and the development of a proper mix of sensors, radar, and cameras, the proposal establishes a true commitment to securing our borders.

Providing Tools for Employers to Verify the Eligibility of the Workers They Hire

Employers Will Be Required To Verify The Work Eligibility Of All Employees, While All Workers Will Be Required To Present Stronger And More Verifiable Identification Documents. Tough new anti-fraud measures will be implemented and stiff penalties imposed on employers who break the law.

- The Employment Eligibility Verification System will allow for real-time verification of employee photos and documents.
- The Department of Homeland Security and the Social Security Administration will be able to

share "no-match" information to ensure that illegal immigrants cannot use the Social Security information of Americans to pose as legal workers.

- Employer audits will serve as an additional check on employer compliance with the system.

Creating a Temporary Worker Program

To Relieve Pressure On The Border And Provide A Lawful Channel To Meet The Needs Of Our Economy, The Proposal Creates A Temporary Worker Program. The program allows workers to enter the country to fill jobs that Americans are not doing. The temporary worker program:

- Protects American workers by requiring U.S. employers to advertise the job in the United States at a competitive wage before hiring a temporary worker.
- Provides additional labor protections for temporary worker program participants.
- Allows temporary workers to enter the United States to work for three two-year terms, with at least a year spent outside the United States between each term.
- Sets a cap of 400,000 on the temporary worker program, which can be adjusted up or down in the future depending on demand.
- Requires temporary workers who want to bring their immediate family to show that they have the financial means to support them and that they are covered by health insurance.
- Recognizes the unique needs of agriculture by establishing a separate seasonal agriculture component under the temporary worker program.

No Amnesty for Illegal Immigrants

Illegal Immigrants Who Come Out Of The Shadows Will Be Given Probationary Status. To maintain their probationary status, they must pass a background check, remain employed, and maintain a clean criminal record.

Illegal Immigrants Who Fulfill Their Probationary Requirements Can Apply For A Z Card, Which Will Enable Them To Live, Work, And Travel Freely. Z card holders will be required to pay a \$1,000 fine, meet accelerated English and civics requirements, remain employed, and renew their visa every four years.

Z Card Holders Will Have An Opportunity To Apply For A Green Card, But Only After:

- Paying an additional \$4,000 fine,
- Applying at the back of the line and waiting until the current backlog is cleared,
- Returning to their home country to file their green card application, and
- Demonstrating merit under the merit-based system.

Strengthening the Assimilation Of New Immigrants

The Proposal Declares That English Is The Language Of The United States And Calls On The United States Government To Preserve And Enhance It, As Well As Enacting Accelerated English Requirements For Some Immigrants. The success of our country depends upon helping newcomers assimilate into our society and embrace our common identity as Americans – our shared ideals, an appreciation of our history, and an ability to speak and write the English language. Therefore, the Secretary of Education is directed to make an English instruction program freely available over the Internet. The DHS Office of Citizenship is expanded to include coordinating assimilation efforts in its mission, and additional funding is authorized for the Office.

Establishing a Merit System for Future Immigration

The Proposal Establishes A New Merit-Based System To Select Future Immigrants Based On The Skills And Attributes They Will Bring To The United States. A merit system is used by many other countries.

➤ **Under The Merit System, Future Immigrants Applying For Permanent Residency In The United States Will Be Assigned Points For Skills, Education, Employment Background And Other Attributes That Further Our National Interest.** These skills include:

- Ability to speak English.
- Level of schooling, including added points for training in science, math, and technology.
- Job offer in a high-demand field.
- Work experience in the United States.
- Employer endorsement.
- Family ties to the United States.

Ending Chain Migration

In Place Of The Current System Where Nearly Two-Thirds Of Green Cards Are Awarded To Relatives Of U.S. Citizens, Our Immigration System Will Be Reformed To Better Balance The Importance Of Family Connections With The Economic Needs Of Our Country.

- Visas for parents of U.S. citizens are capped, while green cards for the siblings and adult children of U.S. citizens and green card holders are eliminated.
- A new Parents Visitor visa is created to ensure that parents are allowed to visit their children in the United States regularly and for extended periods of time.
- The Diversity Lottery Program, which grants 50,000 green cards per year through random chance, is ended.
- These rebalanced green cards are used to clear the Family Backlog in eight years and then applied to the new Merit System for future immigration once the backlog is cleared.

Clearing the Family Backlog within Eight Years

Family Members Who Have Applied Legally, And Lawfully Waited Their Turn In Line, Will Receive Their Green Card Within The Next Eight Years. Today, millions of family members of U.S. citizens wait years in line for a green card, with some waits estimated at as long as 30 years.

###