

## **THE DIGNITY ACT**

**Topline Summary:** The Dignity Act provides a reasonable, compassionate, and final solution to America's immigration crisis. It ends illegal immigration to the United States once and for all, reestablishes law and order, provides a practical solution for the long-term undocumented, revitalizes the American workforce, fixes our legal immigration system, and restores America's economy.

\*This bill is fully funded by fees and from restitution payments by immigrants, requiring no taxpayer funding.

### **Key Points:**

- Secures the Border.
- Mandates E-Verify.
- Reforms the Asylum System.
- Protects Dreamers.
- Dignity Program: Undocumented immigrants can enter a 7-year program for renewable legal status.
- Provides workforce grants, apprenticeships, and on-the-job training for American workers.
- Improves our legal immigration system, ensuring U.S. competitiveness.

**Background on the Dignity Program:** The last time the United States saw serious immigration reform was through the Immigration Reform and Control Act (IRCA) of 1986, passed and signed into law under President Ronald Reagan. The IRCA made it unlawful to knowingly hire illegal immigrants, while legalizing undocumented immigrants who had arrived prior to 1982. Two important take-aways from this effort inform the Dignity Act.

1. Despite a relatively straightforward pathway to citizenship provided to almost 3 million undocumented immigrants under the IRCA, only 1 million (1/3 of those eligible) accepted the offer to become U.S. citizens. The other 2 million were content to have a legal status that allowed them to stay and work in the U.S. and have protection from deportation. They did not feel the need to adjust to a higher status or pursue citizenship.
2. It failed to secure the border and put proper enforcement measures in place to stop illegal immigration to the United States, and it did not stop illegal immigrants from being hired by American companies. Without proper safeguards, the undocumented population grew out of control over the last few decades and led to the major problem we face today.

**The Takeaways:** The Dignity Act considers that the majority of the undocumented population would be content with the opportunity to live in the U.S. legally, work and pay taxes, have protection from deportation (for non-felons), and be able to travel to their country of origin and be with family for the holidays. It also recognizes that real border security and effective enforcement measures must be in place to ensure any fix would be a final one and would never be needed again.

**A Shining City on a Hill:** The United States has historically been a beacon of refuge for those fleeing violence and oppression or seeking a new life and opportunities. In recent decades, our broken immigration system has been exploited, leading to a situation that is unbecoming of our great nation. While the United States is a nation of laws, we are also a nation of second chances. Through the Dignity program this legacy can continue.

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### PART 1: BORDER SECURITY AND ENFORCEMENT

**Border Security:** Authorizes construction of a full border infrastructure system to gain and maintain operational control of the southern border. An impenetrable border infrastructure system includes enhanced physical barriers, employing the most up-to-date technology, and securing our ports of entry.

- **Gain Operational Advantage at the Southern Border:**
  - Requires DHS to gain situational awareness and operational advantage of the southern border.
- **Construct Enhanced Physical Barriers:**
  - Requires DHS to deploy physical barriers and tactical infrastructure along the border, where it is most effective and practical, to prohibit unlawful entries.
- **Deploy Improved Technology:**
  - Deploys the most up-to-date technology at the border.
  - This includes integrated fixed towers, mobile and remote video surveillance systems, unmanned aircraft, Next-Generation Radar systems, and ground sensor upgrades.
- **Implement Fortified Security Initiatives:**
  - Ensures that Air and Marine Operations carry out no fewer than 95,000 annual flight hours and operate unmanned aerial systems on the border 24/7.

**Enforcement:** Enhances enforcement measures to stop illegal crossings and verify employment authorization.

- **Mandatory E-Verify:**
  - Modernizes, fully implements, and mandates the use of E-Verify nationwide.
- **Deter Illegal Crossings:**
  - Increases penalties for illegal border crossings. Imposes severe penalties and increased prison time for border crossers with prior deportations or criminal records.
- **Target Criminal Organizations and Traffickers:**
  - Sets severe penalties for anyone caught at the border with a firearm.
  - Implements new authorities to go after illicit spotters used by transnational criminal organizations to avoid border agents.
  - Increases penalties for helping individuals illegally cross the border, and for destroying equipment and sensors intended to deter illegal border crossings.
- **DNA Testing for Family Verification:**
  - Requires DHS to use DNA testing to verify family relationships.

### PART 2: ASYLUM REFORM

**Asylum Reform:** Reforms the asylum system to adjudicate asylum claims within 60 days, and end catch and release policy. It establishes Humanitarian Campuses near the U.S. southern border to expedite processing, while the individual remains in federal custody, and quickly hear cases to determine if they qualify for asylum in the United States. Increases penalties for asylum fraud.

- **Ends Catch and Release:**
  - Individuals and families claiming asylum in the U.S. will stay at a Humanitarian Campus and remain in federal custody until their case is decided, ending catch and release policy.
- **Humanitarian Campuses (HC's) near the Southern Border:**
  - Establishes at least 3 humanitarian campuses that will take in individuals and family units arriving at the southern border for immediate processing.

- Humanitarian Campus's will:
  - Run criminal background checks, analyze biometric data, verify identification, and conduct medical screenings.
  - Process individuals and conduct credible fear interviews within 15 days.
  - Have sufficient medical staff, licensed social workers, mental health professionals, child advocates, secure sleeping arrangements, and sufficient space.
- Private organizations and Non-Governmental Organizations (NGO's) may have access to the facility to provide humanitarian assistance or legal counsel.
- **Expedited Asylum Processing:**
  - After passing the initial credible fear interview at a Humanitarian Campus, individuals will undergo a secondary screening and have their cases reviewed by trained Asylum Officers for final determinations.
  - In this secondary screening, Asylum Officers are given authority to make final decisions on most asylum cases (75%+) within 45 days (for a total of up to 60 days at Humanitarian Campus).
    - Asylum Officers must either deny, approve, or refer complex/uncertain cases to Immigration Judges. Limited review options are available.
  - If a case is referred to an Immigration Judge after a secondary review, that individual is placed in a case management program with strict monitoring requirements while awaiting their hearing.
- **Optional Processing in Latin America:**
  - Authorizes centers in Latin America, to prevent individuals from making a long land journey and to disrupt human trafficking and smuggling operations that are profiting from sending individuals to our southern border.
  - These facilities will offer asylum pre-screening, family reunification services for children, and regional employment consultation services.
- **Fraud Prevention:**
  - Increases penalties for those that make false asylum statements or provide false documentation.
  - Authorizes USCIS to terminate asylum applications if fraud is detected.
- **Expedited Removal:**
  - New two-strike policy for anyone caught crossing at a non-Port of Entry. The first time, they will be given the chance to go and enter through a Port of Entry.
  - Anyone caught trying to enter between Ports of Entry a second time will be placed in expedited removal proceedings.

### **PART 3: THE DIGNITY PROGRAM**

#### **DREAMERS:**

**Permanent Legal Status for Dreamers:** Dreamers, who were brought here as children, are provided a conditional permanent resident status for 10 years. This allows them to legally live in the U.S. and work during this time. It provides an earned pathway to adjust to lawful permanent resident (LPR) status through work experience, military service, or higher education.

- **Eligibility for Conditional Status:**
  - Dreamers/DACA recipients must have arrived at the age of 18 or younger.
  - They must have been physically present in the United States since January 1, 2021.
  - They must have completed high school, obtained a GED, or be enrolled in secondary school.
  - They must pass a criminal background check and register for the draft if eligible.
- **Requirements to adjust to full legal status (LPR):**

- **Education Track:** Acquire a degree from a U.S. institution of higher education.
- **Military Track:** Complete at least 3 years of military service.
- **Work Track:** Be employed for at least 4 years.

\*Any undocumented individual that is not a Dreamer and has been in the U.S. for 5 years or more, may apply for the Dignity Program.

### **THE DIGNITY PROGRAM:**

**The Dignity Program (7 Years):** The Dignity Program provides a practical solution for the long-term undocumented. Through the Dignity Program, illegal immigrants that have been in the U.S. for many years (since before December 31, 2020) will be provided a chance to work, pay restitution, get right with the law, and earn legal status.

- This is a 7-year program that provides work authorization and protection from removal proceedings, if conditions and requirements are being met.
- Applicants must comply with all federal and state laws, pass a criminal background check, pay back taxes owed, and start paying income taxes.
- They must report to DHS, pay an initial fine, and contribute to the American Worker Fund.
- Dignity participants will pay \$7,000 in restitution during the 7 years of the program.
  - They must check in with DHS every 2 years and remain in good public standing.
- Individuals in the Dignity Program will not have access to federal means-tested benefits or entitlements. They will be net contributors to tax revenue and the U.S. economy.
- The Dignity Program is not a path to citizenship.

\*Upon successful completion of the Dignity Program, the individual can apply for the Dignity Status. Those holding this status will remain ineligible for federal benefits and entitlements. If they remain in good standing with the law, they can remain in this status as long as they want.

### **PART 4: AMERICAN WORKERS**

This bill provides a historic investment into the American workforce. Funds paid into the Dignity Program will be used to provide workforce training, apprenticeships, upskilling, and education for American workers.

#### **Contribution to American Workers:**

- The funding comes from fees undocumented immigrants pay to participate in the Dignity Program.
- For every participant in the Dignity Program, the \$7,000 restitution they pay will be able to train or retrain at least 1 American worker.
  - In total, this will be at least a \$70 billion investment in the U.S. workforce.
- This money will go to workforce education initiatives and apprenticeships to help U.S. citizens looking for work, looking to learn a new skill, or transitioning to different careers.
- The money will be provided as:
  - **Apprenticeship Grants** for work-based learning and in-demand careers.
  - **Grants to States** will provide upskilling programs or on-the-job training or education to meet critical workforce needs.

#### **Paying for the Dignity Act:**

**\*No taxpayer funds will be used to pay for the Dignity Act.**

- The border and improved ports of entry infrastructure, new humanitarian campuses, and all other associated costs in this bill are paid for by an “Immigration Levy.”
- A 1% levy will be deducted from the paychecks of individuals given work authorization under the Dignity Program. These levies will be deposited into the Immigration Infrastructure and Debt Reduction Fund, which will carry out the provisions of this act, and then pay down the U.S. national debt by at least \$50 billion.

## **PART 5: AMERICAN PROSPERITY AND COMPETITIVENESS**

**Fixing our Legal Immigration System:** These provisions ensure the U.S. economy will be prosperous and competitive for generations to come. It keeps families together as they navigate our immigration system, reduces backlogs, modernizes and improves employment-based visa opportunities, and streamlines student visa processing. Combined, these reforms will grow our economy and guarantee a talented future workforce.

- **Increasing Employment-Based Opportunities:**
  - Ensures high-skilled Employment Visas are going to actual workers, by only counting the principal applicant (worker), and not a child or spouse that is not working, towards annual employment visas.
  - Allows STEM PHD Graduates from American Universities to receive an O Visa for Individuals with Extraordinary Ability or Achievement, allowing them to stay and work in the U.S.
- **Family Immigration and Visitation:**
  - Includes the **American Families United Act**, which authorizes discretion if an undocumented child or spouse of a U.S. citizen is denied a visa or has received a deportation order. These families can be granted relief on a case-by-case basis.
  - Includes the **Temporary Family Visitation Act**, which creates a new, 90-day visitor visa that can be used by foreigners with American citizens relatives to travel to the United States for business, pleasure, or family purposes – such as weddings, family reunions, or funerals.
- **Reducing Backlogs and Promoting Fairness for Immigrants:**
  - Allows individuals that have been waiting 10 years or more in the legal immigration line to pay a premium processing fee of \$20,000 to move up in the line.
  - Doubles the per-country cap set in the Immigration Act of 1990, from 7% to 15%. This will reduce backlogs from larger countries.
  - Prevents children legally present in the U.S. from aging out of receiving certain visas due to USCIS processing delays.
- **Student Visas:**
  - Requires students working in the United States as part of the Optional Practical Training (OPT) program to pay FICA (Social Security and Medicare) taxes. Currently, foreign students working as part of OPT program in the United States are exempt from paying FICA taxes.
  - Modernizes student visas to streamline the process for students to stay and work after their education is complete, if they would like to.
- **Resources and Coordination for Processing Visas:**
  - Creates an Immigration Agency Coordinator position to oversee immigration functions at USCIS, the Department of State, and the Department of Labor.
  - Provides adequate resources to USCIS operations and support account, the Bureau of Consular Affairs and Visa Service at the U.S. Department of State, and the Office of Foreign Labor Certification at the U.S. Department of Labor to address delays and improve visa processing.