

# **H.R. 4393, THE DIGNITY ACT OF 2025**

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## **DIVISION A -- BORDER SECURITY FOR AMERICA**

### **TITLE I -- BORDER SECURITY**

**Topline:** This title fully secures the U.S. southern border once and for all.

**Sec. 1111. Strengthening the Requirements for Barriers Along the Southern Border.** Requires DHS to deploy physical barriers, tactical infrastructure, and the most up-to-date technology along the border to achieve situational awareness and operational advantage. It updates current law by explicitly authorizing the construction of enhanced physical barriers and barrier levees.

**Sec. 1112. Air and Marine Operations flight hours.** 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. This is critical to achieving situational awareness and operational advantage over our southern and maritime borders.

**Sec. 1113. Landowner and Rancher Security Enhancement.** Establishes a National Border Security Advisory Committee for landowners and ranchers near the border to consult with the Secretary on border security issues.

**Sec. 1114. Southern Border Threat Analysis, Border Patrol Strategic Plan, and Northern Border Threat Analysis.**

- Requires DHS to develop a Southern Border Threat Analysis that assesses our vulnerability to terrorist threats and the status of improvements needed to secure the border.
- Requires DHS to develop a Border Patrol Strategic Plan that will be updated every 2 years. It will include security enhancements for our international borders, security gaps at ports of entry, information sharing improvements, and human trafficking prevention efforts.
- Requires DHS to update the existing Northern Border Threat Analysis within 6 months.

**Sec. 1115. Agent and Officer Technology Use.** Requires DHS to ensure that the best technology is provided to front-line agents and officers deployed in the field.

**Sec. 1116. Report on standards and guidelines for managing ports of entry under the control of the department of homeland security.** Requires a report assessing the current standards and guidelines for managing ports of entry under DHS control. The report will include staffing levels and need for additional staffing; rules governing the actions of Office of Field Operations officers; average delays for transit through air, land, and sea ports of entry; technologies used for border security, and physical infrastructure and technological needs at ports of entry. It also requires a report on Port Running (departing the United States before officers can conclude traveler inspections). This will include recommendations for new security enhancements, including traffic barricades, to deter individuals from leaving the U.S. without authorization.

**Sec. 1117. Stakeholder and community Engagement.** Establishes a Border Oversight Commission comprised of a diverse group of members from the border region. The commission shall develop recommendations for improvements regarding border enforcement policies, strategies, and programs that take into consideration the impact of these policies on border communities. The commission shall regularly report its findings to Congress.

**Sec. 1118. Training for Officers and Agents of U.S. Customs and Border Protection.** Requires agents and officers to undergo 21 weeks of mandatory training and requires additional training for first- and second-line supervisors. Additional training will ensure that agents are confident in their ability to track down groups of drug traffickers, help agents become proficient in a foreign language, and reduce the likelihood that misconduct will occur. The establishment of formal leadership training for first- and second-line supervisors will ensure that they know how to properly manage and supervise subordinates. These basic leadership courses are required in most professional organizations, such as the military, and should likewise be required of CBP.

**Sec. 1119. U.S. Border Patrol Processing Coordinator positions.** Codifies the Border Patrol Processing Coordinator position, ensuring border patrol processing coordinators are hired and trained as needed by the agency. Border Patrol Processing Coordinators assist CBP enforcement personnel in caring for and processing arriving migrants, so the Border Patrol Agents can spend their time in the field.

**Sec. 1120. Establishment of Higher Minimum Rates of Pay for United States Border Patrol Agents.** Increases the minimum rate of pay for United States Border Patrol agents at the GS-12 (General Schedule) pay scale by at least 14%. It also authorizes increases in other pay grades, and requires DHS harmonize pay levels for Border Patrol agents and CBP officers to ensure equal level of pay, incentives, and overtime.

**Sec. 1121. Body Worn Camera Pilot Program Authorization.** Authorizes the Body Worn Pilot Program established for an additional 5 years. This deploys body cameras for U.S. Immigration and Customs Enforcement (ICE) agents during operations.

**Sec. 1122. Protecting sensitive locations.** Prohibits immigration enforcement actions in or near sensitive locations unless prior approval has been obtained or exigent circumstances exist – such as a national security threat or imminent risk of harm to others. Sensitive locations include schools, medical facilities, places of worship, public assistance offices, places that provide disaster or emergency services, and court houses.

## **TITLE II—BORDER SECURITY AND PORTS OF ENTRY INFRASTRUCTURE FUNDING**

**Topline:** This subtitle fortifies our ports of entry and improves trade and commerce.

**Sec. 1201. Ports of entry infrastructure.** Requires DHS to expand vehicle, cargo, and pedestrian inspection lanes at ports of entry on the southern border. This will be accomplished by installing additional primary and secondary inspection lanes. It also provides the DHS Secretary with discretion to construct new ports or modernize and expand older ports of entry as needed. The efficient flow of commerce and people through our ports of entry is essential to our economic prosperity.

**Sec. 1202. Sense of Congress on Cooperation Between Agencies.** Requires interagency cooperation to address personnel shortages at land ports of entry.

**Sec. 1203. Authorization of Appropriations.** Authorizes \$2 billion for each fiscal year 2026 through 2030 (5 years) for these improvements, for a total of \$10 billion to improve ports of entry.

**Sec. 1204. Funding Matters – Immigration Debt Reduction Fund.** Creates an “Immigration Infrastructure and Debt Reduction Fund” which will be used to fully pay for everything in the Dignity Act. After the bill is fully paid for, the remaining funds will be returned to the U.S. Treasury. The money in this fund comes from a 1% levy that is deducted from the paychecks of individuals given work authorization under the Dignity Program. It is estimated \$50 billion or more will be deposited into the Immigration Debt Reduction Fund.

## **TITLE III—CRIMINAL ENFORCEMENT PROVISIONS**

**Topline:** This section stops criminals and national security threats. It increases penalties for those caught illegally crossing the border that have previously been deported, especially criminals trying to cross the border again. It increases penalties for child sex traffickers.

**Sec. 1301. Illicit Spotting.** This provision goes after illicit spotters used by cartels to avoid, or sometimes intercept, federal agents. It allows an illicit spotter to be fined or imprisoned for up to 10 years. Illicit spotters track Border Patrol and law enforcements movements, and this activity can put their lives at risk. An illicit spotter is defined as “Any person who knowingly transmits, by any means, to another person the location of any officer or agent...with the intent to further a criminal offense under the Immigration and Nationality Act, the Controlled Substances Act, or the Controlled Substances Import and Export Act.”

**Sec. 1302. Unlawfully hindering immigration, border, and customs controls.** This section increases penalties for harboring aliens and helping individuals illegally cross the border. It further increases the penalties for these crimes if they are committed while carrying a firearm. Specifically, it makes the following changes:

1. Amends 8 USC 274 (related to bringing in and harboring certain aliens) to include conspiracy to bring aliens into the United States or harbor them in the country. Penalties increase to up to 10 years in prison if an individual commits any offense in this provision while using or carrying a firearm.
2. Amends 8 USC 277 (related to aiding or assisting certain aliens to enter) to include the crime of attempt and raises penalties to a maximum of 10 years in prison if the individual uses or carries a firearm while committing the offense.

**Sec. 1303. Report on Smuggling.** This section requires the DHS secretary to provide regularly updated intelligence reports on the messaging and propaganda used by human smuggling organizations, as well as the tactics and procedures used to exploit border security vulnerabilities and facilitate cross-border smuggling.

**Sec. 1304. Illegal reentry.** Any alien who has been previously denied admission, removed, or deported, and subsequently attempts to reenter shall be fined or imprisoned for up to 10 years.

Reentry of Criminal Offenders:

- If an alien previously removed or deported who has 3 or more misdemeanors or a felony conviction tries to reenter, they shall be imprisoned for up to 15 years.
- If an alien previously removed or deported who has committed a felony that has a term of imprisonment of 30 months or more, they shall be fined or imprisoned for up to 20 years.
- If an alien previously removed or deported who has committed a felony that has a term of imprisonment of 60 months or more, they shall be fined or imprisoned for up to 25 years.
- If an alien previously removed has been convicted of murder, rape, kidnapping, or human trafficking, they shall be fined or imprisoned for up to 30 years.

**Sec. 1305. Mandatory minimum penalty for child sex trafficking.** Increases the mandatory minimum penalty for child sex trafficking to 25 years in prison.

**Sec. 1306. Visa ineligibility for spouses and children of drug traffickers.** Closes a loophole that, despite current law, still allows family members of drug traffickers to receive immigration benefits.

**Sec. 1307. DNA testing and Collection Consistent with Federal Law.** Helps DHS ensure family relationships can be verified to prevent human trafficking and fraud when groups come as a “family unit.” Specifically, it provides DHS the authority to require DNA verification of family relationships, on a case-by-case basis. It also requires DHS to ensure and certify that CBP is fully compliant with the DNA Fingerprinting Act of 2005. Under this law, agencies collecting DNA samples are required to furnish the samples to the Federal Bureau of Investigation (FBI) for purposes of analysis and entry into the Combined DNA Index System.

**Sec. 1308. Increased Penalty for voting by aliens.** This increases the penalty for voting non-citizens to include a fine and up to 5 years in prison, making it consistent with voter fraud by U.S. citizens. Currently, voting by non-citizens carries a punishment of a fine and up to one year in prison.

## TITLE IV – MANDATORY E-VERIFY

**Topline:** Implements a nationwide, mandatory employment electronic verification system to ensure all American employers moving forward are only hiring individuals legally authorized to work in the U.S.

**Sec. 1402. Employment Eligibility Verification Process**

**Sec. 1403. Employment Eligibility Verification System**

**Mandatory E-Verify:** These sections implement mandatory electronic verification (E-Verify), which requires U.S. employers to check the work eligibility of all future hires through the E-Verify system. This preserves American jobs by ensuring employers are only hiring U.S. citizens and legally authorized workers. This system should be fully operational and in use within 30 months of the enactment of this law.

E-Verify, operated by U.S. Citizenship and Immigration Services (USCIS), checks the social security numbers of newly hired employees against Social Security Administration and DHS records to help ensure that individuals are eligible to work in the U.S. The program is widely used already on a voluntary basis, for federal contracting, or as required by several states. Over 1 million American employers currently use E-Verify. The program quickly confirms 99.8% of work-eligible employees and takes less than two minutes to use.

Employers must attest that a prospective employee has provided the proper paperwork and has been run through the E-Verify system. The system is intended to be easy to use, should protect the private information of individuals, and provide confirmation no later than 3 working days of a prospective employee's eligibility.

**Modernizing from a paper system to electronic system:** Repeals the requirements of the current paper-based I-9 system and replaces it with a completely electronic work eligibility check, bringing the process into the 21st century. However, if an employer chooses to keep using the paper-based I-9 system, they may do so.

**Gradual Phase-In:** Phases-in mandatory E-Verify participation for new hires in 6-month increments, beginning on the date of enactment.

- Within 6 months of enactment, businesses having more than 10,000 employees are required to use E-Verify.
- Within 1 year of enactment, businesses having 500 to 9,999 employees are required to use E-Verify.
- Within 18 months after enactment, businesses having 20 to 499 employees must use E-Verify.
- Within 2 years after enactment, businesses having 1 to 19 employees must use E-Verify.
- Finally, employees performing "agricultural labor or services" are subject to an E-Verify check within 30 months of the date of enactment.
- It allows a one-time 6-month extension of the initial phase-in.

**Sec. 1404. Recruitment, referral, and continuation of employment.** Employment recruiters must check the status of their current employees within 6 months of enactment of this law. They shall run all new hires through E-Verify no later than 1 year after enactment.

**Sec. 1405. Good Faith Defense.** Grants employers safe harbor from prosecution if they use the E-Verify program in good faith, and through no fault of their own, receive an incorrect eligibility confirmation.

**Sec. 1406. Preemption and States Rights.** This sets a single, national E-Verify policy that all states must comply with. It allows states to enforce the federal rules and collect fines for non-compliance.

**Sec. 1407. Repeal.** Repeals outdated employment eligibility pilot program provisions from Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which are unnecessary under the new provisions of this title.

**Sec. 1408. Penalties.** Strengthened Penalties –raises penalties on employers who knowingly hire illegal immigrants in violation of the requirements of the bill. The bill also creates a penalty for individuals (employees or employers) who knowingly submit false information to the E-Verify system. Penalties can be up to \$25,000 per violation and repeat violators can be both fined and imprisoned for up to 18 months.

**Sec. 1409. Fraud and Misuse of Documents.** Amends 18 U.S.C. 1546(b) to clarify that the use of fake documents during the employment verification process can result in fines or up to 5 years in prison.

**Sec. 1410. Protection of Social Security Administration Programs.** Requires DHS and the Social Security Administration (SSA) to enter into an agreement to provide SSA with the funds needed to carry out its responsibilities under this title, and SSA is required to provide an annual account and reconciliation of costs incurred which shall be reviewed by the SSA Inspector General and DHS. This ensures the agencies can work together to prevent labor fraud without imposing increased burdens on the Social Security Administration.

**Sec. 1411. Fraud Prevention.** Allows suspension and blocking of social security numbers being used by multiple individuals for fraud.

**Sec. 1412. Use of Employment Eligibility Photo.** Allow employers to use a photo tool to match a picture with the document provided by the employee.

**Sec. 1413. Identity Authentication Employment Eligibility Verification Pilot Programs.** Creates two Authentication Pilot programs to help improve our ability to verify the identity of new employees.

**Sec. 1414. Inspector General Audits.** The Inspector General shall audit instances of:

- workers who believe their social security account is being used by someone else.
- children’s social security numbers being used for work purposes.
- employers flagged as having several mismatched social security accounts for wage reporting purposes.

## **TITLE V—ASYLUM REFORM**

**Topline:** 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. Establishes optional centers in Latin America where individuals can be pre-screened or processed abroad, to prevent individuals coming to our southern border.

**Sec. 1501. Humanitarian Campuses**

**Sec. 1502 Procedures for Expedited Asylum Determinations**

Creates at least 3 Humanitarian Campuses near the Southern Border. These campuses will conduct asylum interviews and credible fear determinations, while keeping family units together. They will provide an initial screening within 15 days, and final determination of asylum eligibility for most asylum seekers within 60 days.

Individuals with complex cases will be referred to an Immigration Judge (IJ) for a final determination. Individuals referred to an IJ will be allowed to leave the humanitarian campus and be placed in a case management program. They will be tracked and monitored until their court date before an Immigration Judge.

### **Processing and Screening:**

**Initial Screening: (Stage 1 - First 15 days):** After an initial rest period of 72 hours, staff at Humanitarian Campuses will conduct criminal background checks, analyze biometric data, verify identification, conduct medical assessments, screen for human trafficking victims, and perform an initial credible fear interview. Legal Orientation Programming, in which the asylum seeker is explained the legal process of their upcoming asylum screenings and interviews, will be provided before the initial credible fear interview. Those who do not pass the initial credible fear interview will be removed immediately.

**Secondary Screening and Asylum Eligibility Determination (Stage 2 - Days 15-60):** Within 45 days of passing the initial credible fear interview, asylum seekers will have their cases reviewed by two trained Asylum Officers for final determinations. In this secondary screening, Asylum Officers have 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 or approve the cases or refer complex/uncertain cases to Immigration Judges.

**Expedited Appeal (+7 days):** Any application denied is subject to an expedited appeal by two asylum officers, different than those who made the original determination.

**Additional Reviewability (+ 7 days):** Cases in which new evidence related to the case arises during consideration may be subject to additional review. Additionally, vulnerable populations may also request reviews. These include pregnant women and nursing mothers, a woman at disproportionate risk of sexual or gender-based violence or exploitation, a person at risk of violence due to their sexual orientation, a person with urgent medical needs, etc. Reviewable cases can be referred to an immigration judge for further consideration.

Those approved in the secondary screening by the asylum officer are granted asylum. Those denied are removed. If there is disagreement between the two officers, or if they both agree to refer the case to an immigration judge, then the individual will be referred to an immigration judge.

### **\*If referred to an immigration Judge – Court referral and Case management:**

When an Asylum officer refers a case to an immigration judge after a secondary review, that individual or family will receive a Notice to Appear (NTA) and be allowed to leave the humanitarian campus. They are placed in a case management program with strict monitoring requirements. In case management, they will be constantly monitored, with adults being electronically monitored and checking in regularly with case officers. Additionally, any individual placed in case management or family case management that is an adult, parent, or legal guardian shall check in on a weekly basis using technology that confirms the caller's identity and location.

**Personnel and Living Conditions at Humanitarian Campuses:** Humanitarian Campuses will have sufficient space for full freedom of movement and recreational activities. They will have medical staff (family medicine and pediatric doctors, nurse practitioners, and physician assistants), licensed social workers, mental health professionals, and child advocates appointed by HHS. NGO's and private organizations shall have access to the facility to provide humanitarian assistance and legal counsel. Donations of medical goods and services, school

supplies, toys, clothing, or other items intended to promote the well-being of children and family units may be accepted from private entities, NGOs, and independent groups.

Humanitarian Campuses will include staff from across government agencies, including Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), the Federal Emergency Management Agency (FEMA), U.S. Citizenship and Immigration Services (USCIS), and the Office of Refugee Resettlement (ORR).

**Sec. 1503. Screening and Processing in Latin America (Western Hemisphere).** Authorizes up to 3 optional processing centers in Latin America and the Caribbean. These facilities can offer asylum pre-screening, family reunification services for children, and employment consultation services. This will prevent individuals from making a long land journey and disrupt human trafficking and smuggling operations that are profiting off individuals to our southern border. More details on these services are below:

**Pre-screening for Asylum Eligibility:** This allows individuals who wish to claim asylum in the United States to get pre-screened for eligibility outside the U.S. instead of making the journey to the southern border. Asylum Officers may grant humanitarian visas (explained below) to individuals that have very strong claims for asylum.

- **Humanitarian Visa:** This section authorizes the creation of a new humanitarian visa offered to individuals who choose to get pre-screening for asylum in Latin America and have very credible cases based on overwhelming evidence presented. These visas would be capped annually at the same level as the annual refugee ceiling, which is set by the President.

Individuals receiving humanitarian visas will be authorized to travel to United States and go to a humanitarian campus to get their asylum claims adjudicated in the United States.

**Child Reunification Program:** Authorizes a new external family reunification program for children and young adults under the age of 21 seeking to be reunited with a parent with legal status in the United States. If approved, this would allow them to be paroled into the United States and united with their parent or parents. They would be eligible to join their parent's status as a dependent.

**Employment Consultations:** Individuals can apply for guest worker visas (H2A and H2B) and assess eligibility for other legal pathways in the Employment of Family Based Categories. They would be provided assistance in filling out applications, and American companies with labor needs could advertise job postings at the processing centers.

**Dominican Republic Family Reunification Program:** This program allows eligible U.S. citizens and lawful permanent residents to apply for parole for their family members in the Dominican Republic.

**Cuban Adjustment Act Clarification:** This clarifies that Cubans that were improperly processed or released on recognizance in the United States before January 31, 2023, are eligible for the Cuban Adjustment Act.

**Sec. 1504. Recording expedited removal and credible fear interviews.** Requires credible fear interviews and officers exercising expedited removal authority to record both the questions and answers in these proceedings. It also requires DHS to establish quality assurance procedures and ensure that questions by DHS employees during expedited removal proceedings and credible fear determinations are asked in a standard manner.

**Sec. 1505. Renunciation of asylum status pursuant to return to home country.** This provision terminates asylum status if an asylee returns to their home country from which they sought asylum within 5 years, with limited exceptions in emergency circumstances. This does not apply to lawful permanent residents.

**Sec. 1506. Notice concerning frivolous asylum applications.** This ensures there is a written warning on the asylum application advising the applicant of the consequences of filing a frivolous or fraudulent application and serving as a notice to the alien of the consequence of filing a frivolous application. It also makes the alien permanently ineligible for any immigration benefits if they knowingly file a frivolous asylum application.

**Sec. 1507. Anti-fraud investigative work product.** This allows investigation officers to use all evidence provided, including in previous applications or investigations, to combat fraud and ensure an alien is making a legitimate asylum claim. To combat asylum fraud, DHS can conduct overseas investigations and other investigations of asylum claims, including examining presented documents for authenticity. Some courts have greatly limited DHS' ability to conduct such investigations due to confidentiality and due process concerns. This provision specifically authorizes an Immigration Judge to consider these investigative reports and products compiled to prevent the granting of a fraudulent asylum claim.

**Sec. 1508. Penalties for asylum fraud.** Increases penalties for those that make false statements or representations in their asylum applications and adjudications. Specifically, it allows for fines and imprisonment of up to 10 years for those who make false, fictitious, or fraudulent statements, or provide fake documents.

**Sec. 1509. Statute of limitations for asylum fraud.** Increases the statute of limitations for asylum fraud from 5 to 10 years, making anyone who previously attempted asylum fraud prosecutable and ineligible for any other immigration benefits during that 10-year time.

**Sec. 1510. Standard Operating Procedures; Facility Standards.**

- Requires CBP to review and update standards for dealing with sexual assault and abuse in immigration holding facilities.
- Ensures Members of Congress and their staff have access to DHS migrant holding facilities, for oversight purposes.
- Requires DHS to update the Online Detainee Locator System every 24 hours.
- Requires ICE to notify a family member or individual designated by a detainee once they are taken into custody. The individual is allowed to notify a family member before being transferred to a different facility, and upon arrival at a different facility.

**Sec. 1511. Criminal Background Checks for Sponsors of Unaccompanied Children.** Requires new biometric criminal checks for sponsors of unaccompanied alien children (UACs). HHS must conduct biometric criminal background checks of all members of a household before placing an unaccompanied child in that household. It prevents the placement of UACs in a household in which an adult has been convicted or is being tried for violence or sex offenses. This is a departure from current law, which specifies that children may not be placed with a sponsor that poses a danger to the child but does not specify crimes that constitute a danger.

It also requires HHS to check-in with children and monitor them after placing them with sponsors. Specifically, it requires HHS to check-in on children it releases to sponsors within 30 days of their release and then every two months afterwards. Currently, HHS only provides a single well-being follow-up call to most children unless it has designated a particularly vulnerable child for post-release follow-up services.

**Sec. 1512. Fraud in Connection with the Transfer of Custody of Unaccompanied Alien Children.**

Increases the punishment for any fraud committed in the transfer of a child into another's custody. Specifically, it makes any false, fictitious, or fraudulent statements made to obtain a child punishable by a fine and at least 1 year in prison. If fraud was committed with the intent to traffic or sexually exploit the child, they will be fined and imprisoned not less than 25 years.

**Sec. 1513. Hiring Authority.** Requires the hiring of at least 300 new Asylum Officers to assist with asylum determinations at humanitarian campuses.

**Sec. 1514. Humanitarian Status.** Creates a new humanitarian status that is available to individuals that choose to get pre-screened for asylum status in Western Hemisphere processing centers outside the United States. Individuals can only be granted this status if an asylum officer determines they appear eligible for asylum based on overwhelming evidence presented during their prescreening. Individuals with humanitarian status would be authorized to legally travel to the U.S. and undergo the formal asylum claim process at a humanitarian campus within the United States. The number of individuals given humanitarian status in any given year cannot exceed the annual refugee cap for that year.

**Sec. 1515. Two Strike Policy.** This section expands expedited removal authority for those attempting to cross illegally. Specifically, it creates a new policy that anyone crossing at a non-Port of Entry would be logged biometrically and told they must apply for asylum at a Port of Entry. They would be given one additional chance to enter through a Port of Entry and may be escorted to a Port of Entry, at the discretion of the officer that processes them. Anyone caught a second time crossing at a non-Port of Entry shall be put into expedited removal proceedings under title 8. This would take effect within 30 days of the enactment of this bill.

**Sec. 1516. Loan Forgiveness for Legal Service Providers at Humanitarian Campuses.** Authorizes a loan forgiveness program for students with a Juris Doctor degree that provide legal services to immigrants at humanitarian campuses. Participants shall have 75% of their outstanding loans forgiven if they complete 4 years of service at a humanitarian campus.

## **DIVISION B—DIGNITY AND AMERICAN DREAM**

### **TITLE I—DREAM ACT**

**Topline:** Provides an earned pathway for Dreamers to adjust to lawful permanent resident (LPR) status.

**Sec. 2102. Permanent resident status on a conditional basis for certain long-term residents who entered the United States as children.** Dreamers and Deferred Action for Childhood Arrival (DACA) recipients are eligible for conditional permanent resident status if they have been continuously present in the US since January 1, 2021, and were 18 years old or younger when they entered the United States.

Dreamers/DACA recipients must also have completed high school, obtained a GED, or currently be enrolled in secondary school. They must undergo a criminal background check. Those with previous felony offenses, multiple misdemeanors (excluding traffic violations and possession of cannabis), or convicted of domestic violence, are ineligible. The Secretary will create a streamlined process for DACA recipients to apply and may require an application fee that does not exceed \$1,140. The Secretary may deny conditional status if the alien has participated in a criminal gang, has been adjudicated delinquent by a state or local juvenile court resulting in

placement in a secure facility, or poses a threat to public safety. An alien shall have 60 days after a denial determination to seek judicial review.

**Sec. 2103. Terms of Permanent Resident Status on a Conditional Basis.** Permanent resident status obtained under this title is valid for 10 years, on a conditional basis. The Secretary may revoke the conditional status if the alien no longer meets the requirements. If their status is revoked, they must be provided with a notice and the opportunity for a hearing.

**Sec. 2104. Removal of Conditional Basis of Permanent Residents.** The conditional status shall be removed, allowing the alien to become a lawful permanent resident and eligible for citizenship, if they remain in the U.S. and achieve one of the following: obtain a college or graduate degree; serve at least 3 years in the military; be employed and working for at least 4 years.

They must also meet basic English requirements and demonstrate and understanding of U.S. history and civics – the same requirements that must be met to become a U.S. citizen. A Hardship exception is provided for those with disabilities and full-time caregivers. The alien can apply to have their conditional status removed at any time once the criteria are met.

## TITLE II—GENERAL PROVISIONS

**Sec. 2202. Submission of biometric and biographic data; background checks.** Aliens must submit biometric data to gain adjustment of status under the Dream Act. This will be used for background checks and must be run through FBI databases.

**Sec. 2203. Limitation on Removal.** The alien can receive advanced parole when they apply for adjustment of status and before a decision is made. Aliens eligible for relief under this act but facing removal may be given a reasonable opportunity to apply for this relief.

**Sec. 2204. Determination of Continuous Presence and Residence.** Continuous presence means they cannot have left the US for more than 90 days at one time, or 180 days in aggregate. Exceptions are provided for extenuating circumstances apply to serious illness of the alien or serious illness or death of a family member. The physical presence waiver may be waived on a case-by-case basis for those who were removed after January 20, 2017, and were present at least 5 years before removal.

**Sec. 2205. Exemption from Numerical Limitations.** Permanent residence granted under this title does not count towards current LPR or Green Card limits.

**Sec. 2206. Availability of Administrative and Judicial Review.** Aliens that receive a denial of application for adjustment may apply for judicial review. Aliens seeking judicial review are exempt from removal proceedings during the review.

**Sec. 2207. Documentation Requirements.**

- **Identity:** The following can be used to establish identity: passport, national identity document from country of origin, birth certificate, photo ID card, school ID card, Uniformed Services ID card, state ID card, or other ID's.
- **Entry Date:** The following can be used to establish entry date: passport entries or stamps, any DHS documentation of their entry, records from education institutions, employment or military records,

records from a religious entity, hospital/medical records, driver's license, deeds or mortgages, rental contracts, tax receipts, insurance policies, remittance records, travel records, or two or more sworn affidavits of people who are not related to the alien and include the affiant's name address and number, nature of relationship with alien, and other evidence.

- **Education:** For universities and primary education credentials the following can be used: degree, admission letter, proof of current enrollment, GED, any other evidence determined by the secretary.

**Sec. 2208. Confidentiality of Information.** The secretary may not disclose any of this information for enforcement purposes, except to identify fraudulent claims, for national security reasons, or for investigation or prosecution of felony offenses. There is a \$10,000 fine for violations of this.

**Sec. 2209 Provisions Affecting eligibility for adjustment of status.** An alien's eligibility to be lawfully admitted on a conditional basis under this title shall not preclude them from seeking status under any other provision of the law.

### **TITLE III—DIGNITY PROGRAM**

**Dignity Program (7 Years):** Through the Dignity Program, long-term undocumented immigrants are provided a chance to work, earn legal status, and get right with the law. Applicants must comply with all federal and state laws, pass a criminal background check, pay back taxes, and start paying income taxes. The clock starts when the individual reports to DHS, pays an initial fine, contributes to the American Worker Fund (See Title IV of this Division), and enrolls in the Dignity Program. The Dignity Program is a 7-year program that provides temporary legal status, work authorization, travel authorization, and protection from removal proceedings, if conditions are being met.

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 cannot receive federal benefits or entitlements. They will be net contributors to tax revenue and the U.S. economy.

Successful completion of the Dignity Program provides the option to receive an indefinitely renewable 7-year Dignity Status, to stay in the U.S. and maintain work authorization and legal status. Those with Dignity Status continue to be ineligible for federal benefits.

**Sec. 2301. Establishment.** This section establishes the Dignity Program, in which undocumented immigrants are offered a chance to work, earn legal status, and get right with the law. Those participating in the Dignity program would be protected from removal proceedings if they meet the requirements of the program.

**Sec. 2302. Eligibility; sponsorship.** Undocumented individuals who have been physically present in the U.S. since December 31, 2020, are eligible to enroll in the Dignity Program. They must pass a criminal background check and pay an initial contribution of \$1,000, which will be used to support American workers.

**Sec. 2303. Registration; departure.**

- **Registration:** All Dignity Program participants must register with DHS, submit biometric data, and submit a sworn declaration admitting to unlawful presence in the United States. Within 12 months of enactment of this law, all unauthorized immigrants must register for the Dignity Program or depart the United States.

- **Voluntary Departure:** Those who depart the United States will not be subject to any penalties (3 and 10-year bars) for having been in the United States undocumented, if they leave voluntarily. This will allow them to clear their record and re-enter through a separate legal channel in the future.

#### **Sec. 2304. Program participation.**

- Participants in the Dignity Program must work or attend school for at least 4 years of the 7-year program, with exceptions for caregivers, those with disabilities and impediments, and those with young children. Every 2 years, they will check in with DHS to confirm their place of residence and provide testimony of good standing within their community. They will pay additional restitution payments to support American workers during every check in, until a total amount of \$7,000 has been paid.
- Dignity participants must comply with all federal and state laws, pay taxes, financially and materially support their dependents, purchase health insurance and be responsible for their medical costs, and will have no access to federal means-tested benefits or entitlement programs.
- Dignity participants will be exempt from paying FICA taxes. However, they will be charged a separate 1% levy on their adjusted gross income. This levy will go into the Immigration Infrastructure and Debt Reduction Fund, authorized in separate section of this bill, to fund the border infrastructure and pay down our national debt.
- If an immigrant violates the conditions of the Dignity Program, the DHS Secretary shall initiate removal proceedings, and an immigration judge will determine whether to order removal or modify the conditions of their participation in the Dignity Program.

**Sec. 2305. Completion.** Upon successful completion of the Dignity Program, the individual may apply for the Dignity Status. The Dignity Status allows an individual to stay and continue working in the United States. Those holding this status will remain ineligible for federal benefits and entitlements. The Dignity Status is renewable every 7 years. If they remain in good standing with the law, they can hold status as long as they want and renew it as many times as they would like.

### **TITLE IV—CONTRIBUTION TO AMERICAN WORKERS**

**Topline:** Provides workforce training, upskilling, and education for American workers.

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

- As part of the earned legal status for undocumented immigrants through the Dignity Program, an American Worker Fund contribution will be implemented. This money will go to workforce education initiatives to help U.S. citizens looking to learn new skills or transitioning to different careers.
- **For every participant in the Dignity Program, the restitution they pay will be able to upskill or retrain at least 1 American worker.**
- This money will be provided to states and directly to organizations. Grants provided by these funds will be used for apprenticeships, work-based earn-and-learn programs, and educational opportunities for in-demand careers.

**Sec. 2401. Purpose.** This section directs restitution payments from the Dignity program to be disbursed to American workers through promoting apprenticeships, work-based learning programs, and partnerships focused on small and medium-sized businesses with in-demand industry sectors.

**Sec. 2402. Availability of Funds.** Ensures restitution payments from the Dignity program are used to carry out the provisions below.

**Sec. 2403. Conforming Amendments.** Directs the Secretary of Labor to deposit restitution fees in the H-1B Nonimmigrant Petitioner Account before being disbursed to states or through grants, while ensuring compliance with the American Competitiveness and Workforce Improvement Act of 1998.

This account was established to fund training and education programs administered by the Department of Labor and the National Science Foundation, funded from application fees for H-1B Visas. Currently, these fees are used for job training, low-income scholarships, and STEM education. 10% of the new funds coming from the Dignity program will be used for these existing H-1B Nonimmigrant Petitioner Account efforts, marking a major infusion into this program over existing funding. The other 90% of funds from the Dignity program will be used for the apprenticeships and in-demand career grants described below.

**Sec. 2404. Definitions.** Defines “eligible partnerships” as those defined under the Workforce Innovation and Opportunity Act (29 U.S.C. 3102). The Workforce Innovation and Opportunity Act helps job seekers access employment, education, training, and support services to succeed in the labor market and helps match employers with the skilled workers they need to compete in our dynamic economy.

**Sec. 2405. Allotments to States.** Sets criteria for states and territories to participate and ensures all eligible states and outlying areas receive funding. To receive funding, the state or territory must submit a grant application, with state and local input. The application must include which local or regional industry or sector partnerships will be supported and served, how they will partner with small and medium-sized businesses, which apprenticeships or learning-based programs will be supported, who will receive these services, what other services will be provided (classroom instruction, business engagement, support services), what credentials the participants will obtain, and must outline which performance indicators will be achieved.

**Sec. 2406. Grants to Partnerships.** Governors who receive funds under this program shall award grants to local or regional industry and sector partnerships. These grants may be for periods up to 3 years. States should ensure there is geographic diversity in the areas where activities are carried out under these grants.

**Sec. 2407. Use of Funds.** Eligible partnerships shall use these grants to support apprenticeships or other work-based learning programs. The partnerships must provide support services for workers for at least a year after placement in a work-based learning program.

They shall engage with business, and may use these funds for:

- Connecting businesses with education providers to develop classroom instructions which complement on-the-job training.
- Developing curriculum for work-based learning programs.
- Employing workers in a work-based learning program for a transitional period before the business hires the individual for continuing employment.
- Training of managers and front-line workers as mentors in work-based learning programs.
- Recruiting individuals to participate in work-based learning programs.

Eligible partnerships can also use these grants to provide support services such as:

- Connecting individuals with pre-work-based learning or training, including pre-apprenticeships.

- Providing tools, work attire, or other items necessary to start employment or work-based training.
- Providing transportation, childcare services, or other support services related to pre-work-based learning or training.

**Sec. 2408. Performance and Accountability.** Eligible partnerships and States must submit reports on the levels of performance achieved for all workers in the work-based learning programs.

**Sec. 2409. Grants for Access to High-Demand Careers.** Expands student access to new industry-led earn-and-learn programs leading to high-wage, high-skill, and high-demand careers. Specifically, it authorizes competitive grants for earn-and-learn programs that provide students with structured, sustained, and paid on-the-job training and classroom instruction accompanied by credits. These grants can be used for programs lasting 1-4 years and must receive at least 50% matching funds from non-federal sources.

## **DIVISION C—AMERICAN PROSPERITY AND COMPETITIVENESS**

**Topline:** This Division ensures the United States economy will be prosperous and competitive for generations to come. It protects the U.S. family-based immigration system, reduces backlogs, provides parity for our legal immigration system, improves employment-based visa opportunities, and modernizes student visas.

## **TITLE I—AMERICAN FAMILIES UNITED**

**Sec. 3111. Rule of construction:** Clarifies that the discretionary authority provided in the American Families United Act (Sections 3111-3113) only applies on a case-by-case basis.

**Sec. 3112. Discretionary authority with respect to family members of united states citizens:** The American Families United Act gives DHS the authority to review specific immigration cases involving U.S. citizens, to prevent family separation and hardship for U.S. citizens in immigration proceedings. Specifically, it provides discretionary authority in immigration cases in which the individual is the spouse or child of a U.S. citizen. In these cases, if the individual has been deemed inadmissible or deportable and this causes hardship for the American citizen that is related to them, then DHS Secretary may review the case and take one of the following actions: (1) waive grounds of inadmissibility or deportability; (2) decline to issue a notice to appear (NTA) for removal proceedings; (3) decline to reinstate an order of removal; or (4) grant an alien permission to reapply for admission to the United States.

**Sec. 3113. Motions to reopen or reconsider:** This allows the reopening or reconsideration of an order of removal in cases that would have been adjudicated in favor of the alien if this policy had been in effect at the time of a denial of the petition. Motions to reopen or reconsider must be filed within 2 years of enactment.

**Sec. 3114. Family purpose nonimmigrant visas for relatives of united states citizens:** The Temporary Family Visitation Act creates a new, 90-day visitor visa that can be used by foreigners to travel to the United States for family purposes. In this case, “family purposes” means a visit by a relative for social occasions, such as weddings, birthdays, family reunions, or funerals. This visa is only available to foreign individuals that have family members living in the United States who are U.S. citizens or legal permanent residents. The U.S. citizen or legal resident must apply on behalf of their relative and fill out a declaration of support (I-134) stating they will provide full financial support for the visiting individual. Additionally, the visitor must buy travel health insurance to be approved, and they are unable to adjust to any other immigration status while in the U.S.

**Sec. 3115. Military Naturalization Modernization.** This provision streamlines Immigration and Nationality Act (INA) sections 328 and 329, creating a uniform path for military naturalization – regardless of peacetime vs. wartime, or the declarations of any one President. Although current law already allows military service members to naturalize, this provision will ensure that future service members have a standardized process to naturalize through their service.

## **TITLE II—FAIRNESS FOR LEGAL IMMIGRANTS**

**Sec. 3201. Reduction of backlogs.** This allows someone that has been waiting in the visa backlog with an approved petition for at least 10 years to pay a premium processing fee of \$20,000 and be provided that visa. It also clears out the backlog of individuals waiting over 10 years in the legal immigration visa backlog by 2035.

**Sec. 3202. Per-country caps raised.** This doubles the per-country cap set in the Immigration Act of 1990, from 7% to 15%. Under current law, no country can receive more than 7% of the total number of employment-based or family-sponsored preference visas each year. This low percentage is causing decades-long backlogs in certain countries with large populations. This provision will reduce those backlogs.

**Sec. 3203. Protecting the status of children affected by delays in visa availability.** This provision, the America’s Children Act, ensures that children legally present in the United States do not age out of receiving certain visas due to processing delays. Additionally, it allows individuals who were brought to the United States as child dependents and have maintained status in the United States for 10 years or more, and have graduated from an institution of higher education, to obtain permanent residency.

## **TITLE III—EMPLOYMENT AND STUDENT VISAS**

**Sec. 3301. Spouses and minor children of workers.** This prevents derivatives from being counted against annual employment visa totals. This 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.

**Sec. 3302. Wages received by nonresident alien individuals during Optional Practical Training subject to Social Security taxes.** This 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, some foreign students working as part of OPT program in the United States are exempt from paying FICA taxes. This provides parity between American workers and international students working in the United States.

**Sec. 3303. Individuals with doctoral degrees in STEM fields recognized as individuals having extraordinary ability.** This clarifies that individuals who have earned a doctoral degree (PHD) in the field of science, engineering, mathematics, or technology (STEM) are eligible to receive an O visa, for Individuals with Extraordinary Ability or Achievement. It also applies to individuals that have received a PHD in a healthcare or medical profession. This ensures that individuals who earned PHD’s in high-demand STEM and healthcare fields in the U.S. can apply for an O visa and use their talents here if they want to, instead of being forced to return home when they graduate.

**Sec. 3304. Modernizing Visas for Students.** This changes F student visas to be “dual intent.” Although most students intend to return home anyway, visas are sometimes denied if a student cannot explicitly demonstrate

that they plan to return to their home country after their studies. This change will remove this roadblock. However, this does not change any process for students that want to stay when they finish their studies. Any student that does wish to remain in the U.S. after their studies must still qualify on their merits for employment-based or other applicable visas.

**Sec. 3305. Resources for Visa Processing.** Creates an Immigration Agency Coordinator position to oversee immigration functions at USCIS, the Department of State, and the Department of Labor. This coordinator will provide recommendations to harmonize agency efforts related to filing and processing of immigration petitions, visas, and labor certifications, and shall ensure information from each agency is available to the other agencies.

To improve processing and reduce historic backlogs, there is appropriated:

- \$2.56 billion to the Operations and Support Account at United States Citizenship and Immigration Services (USCIS).
- \$852 million to the Bureau of Consular Affairs and Visa Service at the U.S. Department of State.
- \$225 million to the Office of Foreign Labor Certification at the U.S. Department of Labor.