



## **Proposal for a State-Sponsored Visa Program**

**What are state-sponsored visas?** Congress should create a new nonimmigrant visa category—alongside the current visa programs—to allow states to sponsor foreign workers, investors, and entrepreneurs to live and work in their states.

**Why is a state-centered approach needed?** The federal government has consistently shown itself incapable of predicting the labor needs of the states, and states have more local knowledge of the types of workers and immigrants that they need.

**How would it work?** Similar to the current employer-sponsored system, states would petition the federal government to ask it to issue visas to immigrants that they wish to sponsor.

**Who could states sponsor?** States would be able to use visas to sponsor immigrants using any criteria that suited their states—high or low-skilled workers, investors, or entrepreneurs—as long as they met the basic federal health and criminal requirements for admission.

**Would the federal government still be involved?** Yes, it would have oversight over the system. They would conduct background checks, do interviews, and issue visas.

**Is it constitutional?** Yes, Congress has plenary power over immigration and can choose to admit (or not admit) any foreign person based on whatever criterion it chooses. In this case, the criterion would be sponsorship by a state.

**Has this been tried in other countries?** Yes, Canada has a provincial nominee program that allows provinces to sponsor immigrants. Similar programs are used in Germany and Australia.

**Do immigrants have any reason to follow the rules?** Yes, immigrants are only eligible to renew their status which expires after 3 years if they comply with the rules, work only in the state sponsored them, and have the state re-sponsor them for the visa again.

**Will this impose unique enforcement challenges?** No, while individuals would be required to work in the state that sponsored them, this is actually somewhat less difficult than under the current employer-sponsored worker programs, which force them to work for a single firm.

**What about industries that operate across state lines?** The program allows states to enter into compacts with other states to share workers under the same set of rules.

**Does the program have limits?** Yes, each state would be guaranteed 2,500 visas, and a share of a pool of 125,000 visas (another 2,500 per state) based on the population of the state.

**Would state-sponsored workers receive citizenship or welfare?** No, this program would not include citizenship, and it restricts access to all welfare, tax credits, and entitlements.