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SECURING AMERICA'S FUTURE ACT

REFOCUSSES
LEGAL
IMMIGRATION
ON SKILLS
NEEDED IN THE
U.S.



- Ends the Visa Lottery – Eliminates the visa lottery green card program
- Protects the Nuclear Family – Eliminates green card programs for certain relatives but preserves green cards for spouses and minor children; creates a renewable temporary visa for parents of citizens to unite families at no cost to taxpayers
- Reduces Overall Immigration Levels – Reduces immigration levels (now averaging over 1,060,000 a year) by about 260,000 a year – a decrease of about 25%
- Increases Immigration Levels for Workers Needed in the U.S. – Increases the number of green cards available in the three skilled worker green card categories from about 120,000 a year to about 175,000 – an increase of 45%
- Stable Agricultural Workforce – Creates a workable agricultural guest worker program to grow our economy
- Increases Security – Sends additional ICE agents to more high-risk embassies overseas to vet visitors and immigrants



SECURES OUR
BORDERS

- Build the Border Wall – Authorizes border wall construction
- Advanced Technology – Cameras, sensors and additional aviation assets
- Tactical Infrastructure- New road construction to facilitate access to hard to reach areas of the border
- Secures Ports of Entry – Improves, modernizes, and expands ports of entry along the southern border
- More Boots on the Ground – Adds 5,000 Border Patrol Agents and 5,000 CBP Officers
- Use of the National Guard – Authorizes the Guard to provide aviation and intelligence support for border security operations
- Biometric Entry-Exit System – Requires full implementation at all air, land, and sea ports of entry
- Border Security Trust Fund – Transfers \$33.5 billion dollars from the U.S. Treasury to fully fund construction, personnel and technology



PREVENTS
FUTURE
ILLEGAL
IMMIGRATION
VIA INTERIOR
ENFORCEMENT

- Makes E-Verify Mandatory – Employers must check to see that they are only hiring legal workers
- Cracks Down on Sanctuary Cities – Authorizes the Department of Justice to withhold law enforcement grants from sanctuary cities/allows victims to sue the sanctuary cities that released their attackers
- Facilitates Cooperation with Local Law Enforcement – Establishes probable cause standards for ICE detainers/indemnifies localities that comply/requires ICE enter into 287(g) agreements requested by localities
- Detains Dangerous Individuals – Allows DHS to detain dangerous illegal immigrants who cannot be removed
- Kate's Law – Enhances criminal penalties for deported criminals who illegally return
- Combats Asylum Fraud – Tightens the "credible fear" standard to root out frivolous claims and increases penalties for fraud/terminates asylum for individuals who voluntarily return home
- Keeps Out and Removes Dangerous Criminals – Makes illegal immigrants removable for being gang members/makes those with convictions for aggravated felonies, not registering as sex offenders, and multiple DUIs removable
- Visa Overstays – Makes illegal presence a federal misdemeanor for new arrivals (illegally crossing the border already is a crime)
- Safely Returns Unaccompanied Minors – Ensures the safe and quick return of unaccompanied minors apprehended at the border; allows for the detention of minors apprehended at the border with their parents

DACA



- Legislatively Provides Legal Status – Individuals who received deferred action on the basis of being brought to the U.S. as minors get a 3-year indefinitely renewable legal status allowing them to work and travel overseas. Recipients may only make use of existing paths to green cards
- No Criminals – No gang members or those with criminal convictions/convictions in juvenile court for serious crimes are eligible
- Combats Fraud – Strong anti-fraud measures/allows for prosecutions for fraud



House of Representatives
Judiciary Committee

Chairman Bob Goodlatte

CHANGES TO THE SECURING AMERICA'S FUTURE ACT FOR AGRICULTURE

Agriculture's Concern: Farmworkers and employers are uncertain that an unlawful farmworker will be allowed back into the country when he or she departs for the initial "touchback" required by the bill.

Solution: Allow Farmers to "Preapprove" / "Precertify" Workers Before They Leave the U.S. This change creates certainty for farmers by allowing them to seek and receive preapproval of their H-2C petitions for their current workforce BEFORE their workers leave the country for their touchback and allows the precertification of the workers' admission back into the U.S. BEFORE they leave, via the issuance of advance parole documents.

Agriculture's Concern: The bill only provides six months for current unlawful workers to touchback, which is not enough time and will interrupt the growing season for farmers.

Solution: Extended Touchback Window. This change extends the period of time following implementation of the H-2C program during which unlawful farmworkers must complete their touchback from six months to one year. This allows employers of seasonal workers to coordinate the touchbacks of their farmworkers during periods that are less critical, and provides enough flexibility for farmers who employ year-round workers to stagger the touchbacks of their farmworkers and reduce the impact on operations.

Agriculture's Concern: The cap is insufficient to address the needs of seasonal agriculture and the maximum visa term of eighteen months is insufficient to provide a stable labor supply.

Solution: Lengthened Visa Term. This change extends the standard visa term from eighteen months to twenty-four months while keeping the time period required for workers to return home at forty-five days. This would increase the total number of agricultural workers subject to the cap who could be in the U.S. at any one time to 900,000 after the first year of the program (because each year a total of 450,000 new workers would be allowed to obtain visas under the cap and stay for two years so there would always be an overlap). This calculation does not take into account those, like all current unlawful farmworkers, who will never count against the cap.

Agriculture's Concern: Farmers do not have enough time to prepare for mandatory E-Verify.

Solution: Extend the E-Verify Effective Date as it Applies to Agriculture. This change extends the implementation of the E-Verify requirement for agricultural employers from eighteen months to twenty-four months.

Agriculture's Concern: Many farmers rely on migrant, or "at-will," farmworkers and the bill does not sufficiently provide certainty that the "at-will" program will actually take effect.

Solution: Expedited At-Will Employment. This change requires DHS to implement technology to support at-will employment under the H-2C program no later than twenty-four months after enactment and allows "at-will" employment no later than twenty-four months after enactment.

Additional Change Regarding Meatpackers' Visa Cap: This change eliminates the escalator clause for meatpackers. This change results in a hard cap of 40,000 visas per year for meatpackers.