

THE BORDER SECURITY, ECONOMIC OPPORTUNITY & IMMIGRATION MODERNIZATION ACT OF 2013

The Toughest Border Security & Enforcement Measures In U.S. History

This legislation contains the toughest border immigration enforcement measures in U.S. history. It is based on six required security triggers that must be achieved before the newly legalized are allowed to apply for green cards. These six triggers include:

1. **Border Security Plan:** DHS must create, fund and initiate a border security plan (within 6 months of bill's enactment).
2. **Border Fence Plan:** DHS must create, fund & initiate a border fence plan (within 6 months of bill's enactment).
3. **Border Security Metrics:** DHS must achieve 100 percent border awareness and at least 90 percent apprehension rates in high-risk sectors of the U.S.-Mexico border (within 5 years of bill's enactment).
4. **Border Commission:** If DHS fails to achieve #3, a Border Commission of border state officials and stakeholders is required to create & implement a plan to achieve 100 percent border awareness and at least 90 percent apprehension rates in high-risk sectors of the U.S.-Mexico border (within 10 years of bill's enactment).
5. **Employment Verification:** Universal E-verify must be implemented (within 10 years of bill's enactment).
6. **Exit System To Stop Visa Overstays:** Visa exit system must be implemented at all international airports & seaports (within 10 years of bill's enactment).

Modernizing Our Legal Immigration System To Promote Job Creation For American Workers

Conservative Economists Say Modernizing Our System Will Grow Our Economy And Create Jobs: The modernization of our legal immigration system will be a net benefit for America as we make historic reforms towards a more merit-based immigration system that will help us attract entrepreneurs, innovators, investors, skilled workers and people driven by the desire to build a better life for themselves and, in turn, create jobs for American workers.

Protecting American Workers: This bill protects American workers from unwarranted immigration for jobs that Americans are willing and able to do. For example, the proposal would not allow any work visas to be issued if the unemployment rate in a certain area is above 8.5 percent, which is the norm in many cities.

Highly Skilled Workers: After educating the world's brightest and most innovative minds, we will no longer send them home to benefit competing economies like China and India; we will instead staple green cards to their diplomas. We will also expand the highly skilled H1-B visa program from 65,000 to 110,000 to fill jobs Americans can't do. To accomplish the move to a more merit-based immigration system, we eliminate certain categories of family preferences that have allowed for chain migration and completely eliminate the diversity visa lottery, among other reforms.

Guest Worker Program: The bill establishes a guest worker program for lower-skilled workers that ensures our future flow of workers is manageable, traceable, fair to American workers, and in line with our economy's needs. The modernization of our visa programs will ensure people who want to come legally – and who our economy needs to come legally – can do so.

Agricultural Worker Program: A new agricultural guest worker visa program would be established to ensure an adequate agricultural workforce to safeguard our food supply. This program will also allow current undocumented farm workers who have made a substantial prior commitment to agricultural work in the United States to obtain legal status through an Agricultural Card Program.

Dealing With Our Undocumented Population In A Tough But Humane Manner

Today, there are 11 million people in the U.S. illegally, living in de facto amnesty. That's the status quo, and it's what we will continue to have if we do nothing to solve this problem. No way of dealing with this reality will ever be perfect, but this marks a strong conservative start by focusing on the following:

Linking Temporary Status To Security Triggers: No undocumented immigrant is eligible to apply for temporary status until the border security and fencing plan is in place. After being in the temporary status for at least ten years, no currently undocumented immigrant can even attain permanent residence, much less citizenship, unless the border security, employment verification and exit system triggers have been achieved.

Rejecting Amnesty: No one gets amnesty. In fact, this bill will eliminate today's de facto amnesty, in which we have 11 million undocumented immigrants here and don't know who they are, what activities they're engaged in or anything else about them. Once the first security triggers are achieved, undocumented immigrants will be able to come forward, must submit to and pass background checks, be fingerprinted, pay \$2,000 in fines, pay taxes, prove gainful employment, prove they've had a physical presence in the U.S. since before 2012 and going to the back of the line, among other criteria. Criminals and those who don't meet these criteria will be deported.

No Federal Benefits: Undocumented immigrants will not be eligible for federal benefits. This legislation contains a partial repeal of ObamaCare to bar undocumented immigrants from receiving its benefits. Once they are eligible to apply for permanent residence, this bill strengthens current "public charge" law that stipulates no immigrant can obtain a green card if they can't prove they can support themselves and won't become government dependents – by verifying that they are earning at least 25 percent above the poverty level and are gainfully employed. They will have to do verify this more than once, at different parts of the process. Current law, which we do not change, also bars permanent residents from receiving federal benefits for the first five years of that status.

Legalization Is Not Immediate, Automatic Or Irrevocable: Their status can be revoked if they commit a serious crime or if they fail to comply with the employment requirement, the public charge requirement (which goes hand in hand with the employment requirement), their tax obligations and their physical presence obligations.

Fairness To Legal Immigrants: For undocumented immigrants who avail themselves of the process outlined in this bill, they will face a longer, more costly and less certain way forward than if they had come legally in the first place. They will have to pay fines legal immigrants don't have to pay, and they will have to wait at the back of the line behind all those who applied to come legally before them until the backlog of legal immigrant applicants is cleared. Plus, whereas aspiring legal immigrants won't have to wait until the security triggers are met, those who are here illegally today won't be eligible for permanent residence until at least ten years have elapsed AND several security triggers are achieved.

Not Punishing Children For Their Parents' Mistakes: Young undocumented people whose parents brought them to the U.S. illegally or overstayed visas, will be eligible for permanent residence in five years and citizenship immediately thereafter, provided they meet all the prescribed criteria.

This Bill Must Be Considered In An Open & Transparent Process

Bill Will Not Be Rushed To Senate Floor For A Vote: Most bills in Congress are given a only few days of consideration before they're brought to a vote – and sometimes even less (like the fiscal cliff bill that passed on New Year's Eve, only a few hours after it was written and introduced). That is wrong, and Sen. Rubio has said he would not support this legislation if it was rushed through.

Multiple Hearings: This legislation will receive multiple public hearings after it's introduced. After weeks of public review, the legislation will undergo the first round of amendments in the Judiciary Committee in May. The Judiciary Committee Chairman has pledged to allow unlimited amendments and debate, and we expect the consideration of the bill to take weeks. If/when it is approved by the Judiciary Committee, it will then be debated and amended by the full Senate for several weeks. The earliest this legislation could pass the Senate is months after it is first introduced.

More Scrutiny Will Improve The Bill: Through this vibrant and healthy debate, we want to hear from people who live this issue every day and might have better ideas. We are confident that the more daylight this legislation receives, the better it will become.