

Comprehensive Immigration Reform  
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Undocumented Individuals Currently in the U.S. More than 10 Years – create new non-immigrant visa category (e.g. H5). Visa is individual, no derivatives (similar to IR1 Spouse of U.S. Citizen and IR2 Child of U.S. Citizen). Self-petition based (for screening) on first application. All unauthorized presence (e.g. 9B2) ineligibilities (and possible others such as 6C1 misrepresentation) are waived, other ineligibilities apply (to eliminate those with criminal-related and security-related ineligibilities). Individuals with deportable offenses (e.g. felonies) or current removal orders will be ineligible and deported. Visa is valid for 5 years, renewable indefinite number of times (to allow screening for deportable ineligibilities during each 5 year period). Allows work, study, travel and legal presence in the U.S. No adjustment of status authorized, no pathway to Legal Permanent Residence (LPR) or U.S. citizenship status.

Current Deferred Action for Childhood Arrival (DACA) Individuals – can apply for H5 status. All unauthorized presence (e.g. 9B2) ineligibilities (and possible others such as 6C1 misrepresentation) are waived, other ineligibilities apply (to eliminate those with criminal-related and security-related ineligibilities). Individuals with deportable offenses (e.g. felonies) or current removal orders will be ineligible and deported. Allows work, study, travel and legal presence in the U.S. No adjustment of status authorized other than to H5, no pathway to LPR or U.S. citizenship status.

Current Temporary Protective Status (TPS) Individuals – current recipients of TPS can apply for H5 status. All unauthorized presence (e.g. 9B2) ineligibilities (and possible others such as 6C1 misrepresentation) are waived, other ineligibilities apply (to eliminate those with criminal-related and security-related ineligibilities). Individuals with deportable offenses (e.g. felonies) or current removal orders will be ineligible and deported. Allows work, study, travel and legal presence in the U.S. No adjustment of status authorized other than to H5, no pathway to LPR or U.S. citizenship status. Future recipients of TPS status must be legally present in the U.S. to be eligible for TPS status.

Transform Immigrant Visa preference system to merit-based employment visas. Establish a limit per country to increase diversity in overall immigration, but increase current overall limit to appx 500,000 annually. Priority to Employment 1<sup>st</sup> (Priority Workers) /2d (Professionals/Extraordinary Ability)/3<sup>rd</sup> (Skilled Workers) preferences. Research Employment 4<sup>th</sup> (Special Immigrants) preference for selective elimination (e.g. eliminate BC Broadcaster, SK Retired International Organization, SN Retired NATO6 civilians, SD Religious Ministers & SR Religious Workers categories); eliminate Employment 5<sup>th</sup> (Employment Creation) preference.

Eliminate all Family 1<sup>st</sup> (F1 & B1) / certain 2d (F24 ,C24, B2)/ all 3<sup>rd</sup> / all 4th Preference Immigrant Visas

Eliminate Immediate Relative IR5 Immigrant Visa category.

Eliminate Diversity Visa program.

Eliminate both Non-Immigrant Visa E1/2 investor/treaty trader visas and Immigrant Visa employment creation visas (EB-5, C5, T5, R5, I5).

Expand H1B Specialty Occupation visa quotas to minimum 200,000 per year. Petition based, tied to an employer, transferrable to a different employer after three years. Minimum 4 year college degree or equivalent required. No more than 10% issued per year from any one country (country of birth). Extend initial visa duration to six years. After six years in H1B status can self-petition for LPR status for Principal Applicant and immediate family. Derivative H4 visa permitted for spouse & children up to age 21.

Create unified H2 work visa (eliminate difference between H2A Agriculture and H2B Unskilled). Quota of 250,000 visas issued per year, to be reviewed annually. Individual visa, not petition based, not tied to one employer. Five year duration, renewable within the U.S for repeated five year periods (permits criminal and security screening). No H4 derivatives for H2 workers. No adjustment of status within the U.S. to another NIV or IV category. H2 workers will contribute to and be eligible for Social Security, but will not pay federal/state/local taxes nor contribute to or be eligible for unemployment or any other social welfare benefits. Medical coverage provide by employer.

Mandatory E-Verify use by all US employers for all non-US/LPR workers.

Eliminate NIV T1 eligibility if record shows that the applicant was previously refused an NIV and thereafter participated in a trafficking operation to gain illegal entry into the United States.

Eliminate NIV categories N8 & N9 (NATO, IO related), T4, T5, T6, (trafficking related) U4 & U5 (victim of criminal activity related, V1/2/3 (awaiting IV related).

Refugees – increase number of admitted refugees to 200,000 per year. Will increase diversity in overall immigration.

Increase number of immigration judges and streamline appeal procedures with goal of final adjudication for asylum claims and deportation appeals within six months.

Asylum – definition of asylum - may be granted to people who have been persecuted or fear they will be persecuted on account of race, religion, nationality, and/or membership in a particular social group or political opinion. Eliminate domestic violence and gang violence.

Apprehension Criteria – halt Catch & Release. Single adults held indefinitely until immigration/asylum proceedings. Adults with minor children detained indefinitely in appropriate family facilities, or lacking those, adults detained indefinitely and minors detained until required to be released to appropriate situation (HHS or relatives). Unaccompanied minors detained until required to be released to appropriate situation (HHS or relatives). When feasible, all minors' immigration/asylum cases will be linked to an adult case. Minors will not be released to

undocumented immigrants in the U.S. unless the responsible undocumented immigrant agrees to immediate immigration proceedings.

Border Security – appropriate funds for adequate border security through physical and technical means. No plans for a contiguous wall.

#### Alternate Guest Worker Visa Reform

Combine H2A (Unskilled agricultural) and H2B (Unskilled non-agricultural) categories

No annual quota

Five year renewable visa

Non-petition based

No self-employment permitted

Free to change employers any time

Verifiable through E-Verify

Federal minimum wage applies

Exempt from federal, state, local taxes

Eligible for OASDI/Social Security, partial FICA deductions

Not eligible for Supplemental Security Income

Not eligible for Medicare at 65, no Medicare insurance FICA deduction,

No unemployment tax deduction, not eligible for unemployment payments

Medicaid eligible when in status and employed

No transportation, housing, subsistence requirement

Not eligible to change status to another category in the US.

Eliminate the H4 (dependent) category