

ImmigrationWorks USA



The business voice on immigration

IMMIGRATION BILLS IN THE HOUSE

The Border Security Results Act, sponsored by Rep. Michael McCaul (R-TX), requires Homeland Security to achieve “operational control” of the border within five years, apprehending 90 percent of immigrants attempting to enter the U.S. illegally. Unlike the Senate bill, which makes DHS the judge of its own success on the border, the House bill mandates that the GAO work with border governors to determine whether operational control has been achieved. The House Homeland Security Committee passed the measure in May on a voice vote.

The Legal Workforce Act, sponsored by Rep. Lamar Smith (R-TX) and House Judiciary chair Bob Goodlatte (R-VA), among others, requires all U.S. employers to enroll in E-Verify within two years of enactment. The measure would phase out the Form I-9. It would largely preempt state and local E-Verify laws, although not state penalties for hiring unauthorized immigrants. And it would shield employers who use the system in good faith from civil and criminal liability. The legislation passed the House Judiciary Committee in June by a vote of 22 to 9.

The Strengthen and Fortify Enforcement Act, sponsored by Rep. Trey Gowdy (R-SC) and Chairman Goodlatte, among others, strengthens interior enforcement of immigration law. The proposal allows states to enact their own immigration law and assist with the enforcement of federal law. It makes overstaying a visa a crime and expands the types of criminal activity for which immigrants can be removed to include manslaughter, rape, gang membership and drunk driving. It permits Homeland Security to detain undeportable immigrants who are considered a threat to public safety and provides ICE agents with firearms and body armor. The House Judiciary Committee passed the measure in June on a party-line vote.

The Agricultural Guestworker Act, sponsored by Chairman Goodlatte, creates a new agricultural temporary worker program. In contrast to the existing H-2A guest worker program, the new program would be open to seasonal and nonseasonal agricultural employers and would provide for at-will as well as contract employment. It would be overseen by the Department of Agriculture rather than the Department of Labor. It would initially be capped at 500,000 visas a year, but the quota would adjust in response to market conditions. The House Judiciary Committee passed the measure in June on a party-line vote.

The Skills Visa Act, sponsored by Rep. Darrell Issa (R-CA), increases temporary and permanent visas for highly skilled foreign workers. The proposal more than doubles the number of H-1B visas available each year to 155,000. It allocates 55,000 green cards for foreign graduate students studying math, science and engineering at U.S. universities. It eliminates the country caps on employment-based green cards and allocates 10,000 visas for immigrant entrepreneurs who start businesses in the United States. The measure passed the House Judiciary Committee in June on a party-line vote of 20 to 14.