

## PROBLEMS SOLVERS CAUCUS PRINCIPLES

January 29, 2018

### I. Budget Caps Deal

The Problem Solvers Caucus will support an overall budget caps deal consistent with the Caucus's consensus position dated November 29, 2017 as outlined via [correspondence](#) to Senate and House Majority and Minority Leadership that also contains part two of this proposal containing the DACA-Border Security proposal outlined in Part II below

### II. DACA-Border Security Proposal

#### 1. DACA Solution

-Pathway to Earned Citizenship:

- 12 years, with up to 2 years of credit for time with DACA (10 years)
  - Dreamers with conditional permanent resident status would not be eligible for federal means-tested benefits in accordance with current federal law

-Eligibility Criteria:

- Must have entered the U.S. by June 15, 2012
- Bar for convictions of specified crimes, which cannot be waived in any circumstances; INA criminal bars can only be waived on a case-by-case basis, for humanitarian purposes or when in the public interest; the Secretary must submit quarterly reports to Congress on the number of waiver requests and how many were granted
- Must have satisfied any Federal tax liability accrued since receiving work authorization under DACA, with an option to enroll in a payment plan

#### 2. Border Security

-Appropriate from the President's FY18 Budget Request:

- \$1.591B for Barrier Infrastructure Planning, Design and Construction
  - Subject to the following conditions:
    - Existing Barrier Technology Requirement
    - Eminent Domain Report
    - Environmental Protection Report
    - Alternatives Technology Report
    - Comptroller General Review
- \$1.123 for Non-Barrier infrastructure
  - Southwest Border Surveillance Technology
  - Other Technology, Assets and Equipment
  - Border Patrol Agent Retention and Relocation, and Hiring improvements
    - The \$100 million requested to initiate the hiring of 500 additional Border Patrol Agents would instead be allocated to retention and relocation of Border Patrol and Air and Marine agents
- Additional Border Security Measures:
  - Appropriate \$15M to fund CBP drug screening under the INTERDICT Act
  - Border Access Roads (Sen. Flake's *Border Security and Deferred Action Recipient Relief Act*)
  - CBP Hiring and Retention Incentives (relevant sections of Sen. Flake's *CBP HiRe Act*)
  - CBP Oversight Measures, such as:
    - Rescue Beacons with 9-1-1 Relays (Rep. McCaul's *Border Security for America Act*; Rep. Hurd's *SMART Act*)
    - More Investigative Personnel (Rep. McSally's amendment to the *Build America's Trust Act*)
    - Body-Worn Cameras with Privacy Protections (Rep. Espallat's *ICE and CBP Body Camera Accountability Act*)

- Require a study on authorizing the imposition of surcharges on immigration-related fees- such as application and border crossing fees- to be dedicated to border security; and on authorizing the use of currently collected fees for border security costs.

### **3. Elimination of the Diversity Visa Lottery/Visa Allocation Shift**

-Eliminate the Diversity Visa Lottery.

- *Reallocate* ½ of the annual visas to nationals of “priority countries” who are underrepresented – with a new merit-based preference for individual visa applicants from these countries
  - The merit-based preference for individual visa applicants from priority countries will be based on the following criteria:
    - Formal Education
    - Employment and entrepreneurship
    - Civic involvement
    - English language
    - Meets workforce needs of U.S.
- *Reallocate* ½ of the annual visas to recipients of Temporary Protected Status, who will maintain legal status and work authorization while awaiting visas
  - *After the TPS backlog is cleared, all of the annual visas will be allocated to nationals of priority countries*
- In addition, any individual eligible for the visas referenced above who demonstrates a skillset or educational achievement to meet the workforce development needs of the United States in each year such visas are issued, shall be given preferential treatment in the issuance of such visas. Examples of present workforce development needs identified includes vocational skill sets, needs of the agricultural community, and needs of STEM-related fields
- Bar for convictions of specified crimes which cannot be waived in any circumstances; INA criminal bars can only be waived on a case-by-case basis, for humanitarian purposes or when in the public interest; the Secretary must submit quarterly reports to Congress on the number of waiver requests and how many were granted
- Have satisfied any Federal tax liability accrued since receiving work authorization under DACA, with an option to enroll in a payment plan

### **4. Family Reunification/Migration**

-Prohibit any parent who illegally brought into the country a child who receives status under the DACA Solution from being sponsored by any of their children who receives legal status under this bill

- In exchange:
  - *grant 3-year renewable legal status to the parents of Dreamers*
  - Legal status would come with work authorization
  - This would not include a pathway to citizenship

-LPRs can sponsor nuclear family, i.e., spouses and unmarried children under the age of 21

- This would affect 26,266 visas per year which would instead be used for the nuclear family