

Immigration Policy Update From Congressman Paul Ryan

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The House is now considering immigration reform, and many of my constituents have shared their thoughts on the issue. In the weeks ahead, I will continue to ask for input. But in the meantime, I want to give you an update on our efforts.

Our immigration system is broken, and the evidence is overwhelming. First, 11 million undocumented immigrants are living in the United States. Because they lack legal status, they are outside the scope of the law. We don't know who they are or in what activities they are involved. Second, we encourage people to break the law and punish those who follow it. Immigrants who attempt to come to this country by legal means find themselves wrapped up in endless paperwork and bureaucracy. The current backlog for family-sponsored visas is so vast that it could take up to 11.5 years for the visa to be processed. As of November 2012, 4.3 million persons stood in the family-based visa queue.

We should reform our immigration system because it will help America. Immigrants contribute to our economy. They started one-fourth of all new businesses in 2011. And immigrant-owned small businesses employ 4.7 million people. In fact, first- or second-generation immigrants founded 40% of all Fortune 500 companies, including AT&T, Kraft, Google, Yahoo!, and eBay. As a result, the American Action Forum estimates that immigration reform will boost per capita income by \$1,700 over ten years and reduce the federal deficit by \$2.7 trillion.

Most countries use immigration to strengthen their economies—but we don't. In the U.S., only 7% of green cards went to work-based immigrants in 2010, but the vast majority of visas in other countries, like Canada and Australia, are directly aimed at work-based immigrants that can boost the economy. We give out visas based on people's family connections, not their talents or skills. We are missing out and falling behind.

We need an immigration system that upholds the rule of law and helps our economy grow. The Senate has put forward one approach, but I believe the House can do better. **We will not take up the Senate bill in the House. Instead, we will put together our own proposals**—which will make our immigration system more accountable, efficient, and effective.

MY PRINCIPLES FOR REFORM

I think four principles should guide our effort:

- **First, we need to secure the border.** We can't have a secure country without a secure border.
- **Second, we need to enforce our laws.** Otherwise, we will repeat the mistakes of the past.
- **Third, we need to encourage *legal* immigration.** We need a guest-worker program that meets the needs of our economy, and we need to attract the best and brightest to our shores.
- **Fourth, we need to give people a chance to get right with the law.** We should welcome anyone who is committed to America. But we should always uphold the rule of law—and be fair to those who followed it.

THE BORDER

Two things affect border security: our *presence* on the border and the *pressure* on it. We need a greater presence on the border and we have to give law enforcement the tools they need. To date, the Department of Homeland Security has never developed a comprehensive plan to achieve operational control of our borders, which is why we continue to see illegal border crossings shift. This means when we ramp up security in one sector, or complete a fence in one place, people find another means to enter our country. We didn't always have drug smugglers building tunnels from Mexico into the U.S.—as border security gets tighter, criminals work harder to find different ways to penetrate our border. We need to respond accordingly. As the threats shift, we need to move our resources to shift with the changing dynamics. Unless we develop a nationwide, results-based plan, we will inevitably spend countless taxpayer dollars only to repeat this debate a decade from now.

It is important that we work with independent experts to develop a strategy to achieve operational control of the border—defined as stopping 90% of illegal border crossings—and situational awareness by a tight, but feasible, deadline. Rather than having the Administration evaluate the success of the border security strategy, we need an independent third-party to certify that metrics have been met and we have achieved operational control and situational awareness of our borders.

ENFORCEMENT

Entry/Exit Visa Tracking: Visa overstays make up about 40% of the undocumented immigrants in our country today. We need to know who is in our country and why. It is a matter of national security. We need a modernized system to track the entry and exit of tourists, foreign students, diplomats, temporary workers, and others who come here on a temporary visa.

Workplace Security: We also need a mandatory employment-verification system. Employers should be able to determine an employee's legal status in a timely manner. The current verification process is cumbersome and ineffective. It encourages the use of fraudulent documents and puts people at the risk of identity theft. Any verification system must be safe, secure, and prompt.

LEGAL IMMIGRATION

We also need to decrease the pressure on the border and the way to do that is to fix the legal immigration system. Hundreds of thousands of people cross the border illegally each year. If our immigration system worked, economic immigrants—those that want to come to contribute to our economy—wouldn't jump the fence. They would use the front door. This would allow the border patrol to focus our resources on apprehending the criminal immigrants—those seeking to smuggle drugs and weapons or conduct criminal activity in the U.S.

Guest-Worker Programs: We need to let immigrants come here *legally*. Employers should be able to hire workers on a temporary or seasonal basis when they can't find Americans to fill the jobs. Wisconsin, for instance, relies on seasonal labor for agriculture and other industries, but due to a lack of seasonal H-2B visas, some Wisconsin businesses face annual labor shortfalls. If we can link legal immigrants with small businesses, we can help spur economic growth.

High-Tech Visas: One of every six international students is educated in the U.S. We educate some of the best students in the world—especially in fields like science, technology, engineering, and math (STEM). And then we send them home. We should find ways for them to stay. Over the past ten years, jobs in STEM fields grew three times as quickly as those in other fields and they are projected to grow more than twice as fast through 2018. American employers worry they will have a shortage of high-skilled workers. We need to let employers hire foreign graduates of U.S. universities. That way, they will use their American education to the benefit of the U.S.—not our foreign competitors. But to make sure American workers get a fair shot at these jobs, we should require sponsors of foreign workers to complete labor certifications to make sure foreign workers are not displacing equally qualified American workers.

A CHANCE TO GET RIGHT WITH THE LAW

A conservative deals with the world as it is—not how it should be. Past administrations should have enforced the law, but they didn't. Now we need a common-sense plan that moves us forward by addressing the reality of our current situation. We need to deal with the undocumented population because right now, we have de facto amnesty. We need to invite people to get right with the law—without letting them cut in line.

That means we need to find a way forward for the “DREAMers.” These are unauthorized immigrants whose parents brought them here as children. They didn't break the law; their parents did. They grew up in our country, and now they are pursuing an advanced degree or serving in our military. Majority Leader Eric Cantor (R., Va.) and Judiciary Committee Chairman Bob Goodlatte (R., Va.) are working on a bill, the KIDS Act, to solve this problem.

But we also have to deal with the rest of the undocumented population. After discussing it with my constituents and colleagues, here's what I think they should do: They should go through a lengthy period of legal probation—or “deferred adjudication”—with a one-strike policy. That means if they violate the terms of their probation, they are immediately deported. They must come forward, admit guilt, submit to a criminal-background check, pay back taxes and fines, and learn English and civics. They must prove they have a job and **they must not receive any federal benefits.**

Those who don't come forward must promptly leave the country or be immediately deported. But if they successfully serve out the terms of their probation, **if they wish to pursue the opportunity for U.S. citizenship, they will then need to go to the back of the line and apply—just like everyone else—for a green card or legal permanent resident (LPR) status through existing legal channels.** In accordance with existing law, five years after they have gotten their green card or entered LPR status, they should then be able to apply for citizenship—just like everyone else. **The process the House is discussing would be lengthier than the 13-year process in the Senate-passed bill and would offer no special pathway to citizenship.** The process to get a green card and become a citizen would be no different than it is now under existing law.

The President and Senate Democrats are insisting we give them a fast track to citizenship. But citizenship isn't the only answer. We shouldn't prevent them from ever earning citizenship. But we shouldn't insist on it, either. There already is a path to citizenship—it's the legal immigration system. We certainly should fix it, but we shouldn't offer them citizenship on terms different from anyone else who wants to come here.

Finally, any immigration legislation must have real triggers based on actual metrics that are certified by an independent third-party to ensure the border is in fact secure and we are enforcing our laws. This includes independent certification not only that operational control and situational awareness of the border have been achieved, but also that the mandatory employment verification system and the entry/exit visa tracking system have been fully implemented. **Only after the border has been independently certified as secure and employment verification and visa tracking systems have been implemented can we allow the 11 million illegal immigrants to exit probationary status and take the next step toward full legal status in the U.S.**

CONCLUSION

In order to achieve a lasting and permanent solution to our broken immigration system, we must secure the border, enforce our laws, and fix our immigration system. That means we need tough border security and enforcement measures that will deter future illegal immigration. We need to modernize our visa programs to ensure people who want to come legally can do so. And we need to ensure that no one can work here unless they have legal status. In the past, I have supported initiatives that would have accomplished these goals, and I will continue to do so as my colleagues and I consider legislation in the 113th Congress.