



House of Representatives

Judiciary Committee

Chairman Bob Goodlatte

The Border Security and Immigration Reform Act: House Judiciary Committee Chairman Bob Goodlatte (R-Va.), Congressman Carlos Curbelo (R-Fla.), House Homeland Security Committee Chairman Michael McCaul (R-Texas), and Congressman Jeff Denham (R-Calif.) have introduced the Border Security and Immigration Reform Act of 2018 (H.R. 6136), a consensus bill that is the product of negotiations between Republicans of all perspectives and addresses the four pillars for immigration reform outlined by President Donald Trump. Below are key components of the bill.

Secures the Border: The bill provides nearly \$25 billion in advance appropriations to build a wall along the Southern border. It also combats visa overstays by ensuring the biometric entry-exit program is completed so that we know whether or not those on temporary visas leave the U.S.

Contains More Tools to Prevent Illegal Immigration: The bill ends “catch and release,” increases the standard for credible fear to root out fraudulent claims, ensures unaccompanied alien children are returned safely and quickly to their home country, and provides the Department of Homeland Security (DHS) with the ability to detain dangerous criminal aliens, among other provisions.

Modernizes Our Immigration System: The bill ends the visa lottery, protects the nuclear family while reducing chain migration, reduces overall immigration numbers over the long term, and begins a shift to a merit-based system. It also shifts to a first-in-line visa system by eliminating the per-country cap on employment-based green cards and by increasing the cap on family-sponsored green cards from 7 to 15%.

Provides a Legislative Solution for DACA: The legislation allows the DACA population – children who came to the U.S. as minors and grew up here – an opportunity to earn a legal status. If these individuals meet certain requirements they will be eligible for a 6-year renewable legal status, allowing them to work here and travel abroad.

Creates a New Merit-Based Green Card Program that Encourages Advancement

- The bill establishes a new, merit-based green card program –without increasing legal immigration – based on applicants earning points for skills, education, vocational training, work experience, English language proficiency, and military service. More points are awarded for each achievement. Once applicants meet the threshold number of points for eligibility, they will qualify for a green card, although those with the highest points each year will earn their green cards more quickly.
- Those eligible include children of E1, E2, H1B, and L workers who were brought by their parents lawfully into the U.S. as minors and have been continuously in the U.S. for 10 years before the date of enactment AND any individual granted a “contingent non-immigrant status” due to DACA eligibility may apply.
- Importantly, the bill also requires the border wall to be funded before new visas are available under the new merit-based program.

Keeps Families Together:

- The legislation fixes a court decision, the Flores settlement, to ensure that children who are apprehended at the border with their parents are not separated from their parent or legal guardian while in DHS custody.
- It also addresses family separation in light of the Zero Tolerance prosecution initiative by mandating that DHS, not the Department of Justice, maintain the custody of aliens charged with illegal entry along with their children. This would only apply to those who enter the country with children and would not permit those charged with felonies or any other criminal activity to be detained along with children. The bill allocates funding for family detention space to facilitate this requirement.
- To enhance the safety of children, the bill prohibits releasing a child to any individual other than a parent or legal guardian.