

Menu for House GOP: Immigration à la carte

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The House is still fumbling around on how its members will tackle immigration reform.

But two key House committees have at least laid out a menu of some options for the full chamber to consider when it begins voting on immigration bills this fall. Reflecting GOP wishes for a piecemeal strategy, each bill passed one at a time and, except for one, no Democrats voted in favor of them.

The collection of bills touches on a wide array of immigration laws, from enforcement to agriculture, E-Verify to the high-skilled sector except the big elephant in the room: What's the House going to do with the 11 million undocumented immigrants?

Here's POLITICO's guide to those five bills, which passed when most of the focus was on the Senate Gang of Eight and its rewrite of immigration laws.

Border security

Of the five immigration bills that have cleared House committees, the border security legislation has the best chance of gaining broad bipartisan support.

The Border Security Results Act calls on the Department of Homeland Security to create a plan to make sure that within five years, at least 90 percent of all illegal border crossings along the southwestern U.S. border are apprehended. The bill also lays out several ways to measure how well security is improving along the border — such as the amount of illicit drugs seized by Border Patrol agents.

It's a far cry from the border security plan in the Senate's Gang of Eight bill, the final version of which would cost roughly \$46 billion to double the amount of Border Patrol agents, direct the completion of the southwestern border fence and require other security measures. That plan, from Republican Sens. Bob Corker of Tennessee and John Hoeven of North Dakota, doesn't have many fans in the House.

“To throw money at the problem — which we've been doing for 20 years without success — it's more of the same in the Senate bill,” said House Homeland Security Committee Chairman Mike McCaul (R-Texas), a chief sponsor of the House bill.

The border security bill passed McCaul's committee in May and has won praise from border-state Democrats who have scoffed at the resources in the Corker-Hoeven proposal.

“It’s a good plan on a number of levels,” said Texas Rep. Beto O’Rourke, a freshman lawmaker who represents El Paso. “It treats the border in a much more rational, humane and fiscally responsible way than the Senate bill does.”

Agricultural workers

House Judiciary Committee Chairman Bob Goodlatte (R-Va.), a key figure in immigration reform in the House, wrote legislation that would allow foreign agricultural workers to temporarily come to the United States.

The bill would allow immigrants to stay in the country for 18-36 months — depending on the position — to work in the industry. The cap is set at 500,000 visas, although that can be adjusted according to market needs.

Goodlatte, a former Agriculture Committee chairman, called his bill a “market-based approach that removes red tape, streamlines access to a reliable workforce and protects farmers from abusive lawsuits.”

But Republicans also set clear incentives for farm workers to leave the United States. For example, employers are required to withhold 10 percent of workers’ wages in a government trust fund, which they can retrieve only when they return to their home country.

And while the House bill allows current undocumented immigrants to join this new agricultural guest worker program, it lays out no pathway to a green card, and ultimately citizenship, like the Gang of Eight legislation does.

“I think it’s un-American,” Rep. Tony Cárdenas (D-Calif.) said of the bill Monday. “I think it’s creating second-class citizens who happen to be hardworking people.”

The bill passed the Judiciary Committee 20-16 on partisan lines. Goodlatte’s legislation did have a Democratic co-sponsor at one point — Rep. Collin Peterson of Minnesota — but he has since withdrawn his support.

Notably, there is no bill yet that creates a guest worker program for industries other than the agricultural sector. But Republican Reps. Ted Poe of Texas and Raul Labrador of Idaho are working on legislation to provide visas for temporary workers, a Republican aide said Monday. The bill is expected to be introduced after the August recess.

High-skilled workers

Increasing the number of visas for high-skilled immigrants is an initiative that traditionally wins support from both Democrats and Republicans — and the Skills Visa Act is a core component of the House GOP’s immigration strategy. The bill is backed by a slew of industry groups, among them Compete America, the Information Technology Industry

Council and the Consumer Electronics Association.

On its face, the House bill for high-skilled workers is pretty similar to the Gang of Eight's bill.

Both bills would lift the current 65,000 cap on H-1B visas — the House to 155,000, with an additional 40,000 for immigrants who graduate from a U.S. university. In the Senate, the cap is set at 110,000 — it can go up to 180,000 — with 25,000 more visas set aside for foreigners who earn advanced degrees in science, technology, engineering or math.

And both the House and Senate would create a new visa for entrepreneurs, capped at 10,000 per year. The House's legislation also doles out 55,000 green cards for immigrants with advanced degrees in STEM fields from U.S. schools.

Democrats, however, say the legislation falls short on several points. Rep. Jared Polis (D-Colo.), for instance, said that the bill doesn't clear the current backlog of green cards.

Another source of irritation for some Democrats: Both the Senate's comprehensive bill and the House Skills Visa Act seek to repeal the diversity visa program. To allay those concerns, Sen. Chuck Schumer (D-N.Y.) added a provision that directs additional visas to immigrants from certain African and Caribbean countries.

Interior enforcement

The House immigration bill that has stirred the most controversy is the Strengthen and Fortify Enforcement Act, which is one of the toughest attempts from Republicans to crack down on illegal immigration.

One major component is a provision that would allow state and local officials to carry out federal immigration law, and Republicans say the overall bill is needed to ensure immigration laws are being enforced — and in particular, to take away discretion from the Obama administration.

"Ensuring public safety and protecting national security must be the primary objective of immigration reform," Rep. Trey Gowdy (R-S.C.), who chairs the House subcommittee on immigration, said when his bill passed the full committee on a party-line 20-15 vote.

Despite the bill being one of the most controversial, it could be among the first that the full chamber votes on when it returns from its August recess.

Democrats and immigration advocacy groups have protested the legislation. The American Immigration Lawyers Association calls the bill a "radical departure" from current immigration statutes because it would make being in the country illegally a crime. And Democrats have highlighted provisions that they say dramatically expand detention of undocumented immigrants and could trigger racial profiling.

“It would turn millions of undocumented immigrants into criminals overnight,” Rep. Zoe Lofgren (D-Calif.) said at the markup in June.

E-Verify

A mandatory employer verification system is another immigration proposal that generally wins all-around support from Congress. And underscoring the importance of a functioning E-Verify system, comprehensive bipartisan bills from both ends of the Capitol use it as a trigger.

The House’s stand-alone bill would expand the current voluntary E-Verify system nationwide, phasing in the requirement depending on the size of the employer.

The bill is the most stringent on employers that have more than 10,000 workers, which would have six months to begin using E-Verify for all new hires. Employers with 1 to 19 workers would have two years to comply.

Under the Gang of Eight bill, employers would have five years to begin using E-Verify.

The major difference is the trigger issue. The Senate bill says E-Verify must be in place nationwide before current undocumented immigrants can obtain green cards, which won’t happen for at least a decade. Meanwhile, a House bipartisan group lays down a tougher marker: E-Verify has to be in place within five years, or newly legalized immigrants will go back to an undocumented status.

The House’s standalone bill passed the committee 22-9 – again on party lines. But this bill does have some Democratic buy-in: A co-sponsor is Rep. Peter DeFazio (D-Ore.), who does not sit on the Judiciary Committee.

<http://www.politico.com/story/2013/07/house-gop-immigration-reform-94892.html>