

# PATH FORWARD TO SECURE OUR BORDERS AND REFORM OUR IMMIGRATION SYSTEM



*New Dem Immigration and Border Security Working Group*

## I. Introduction

New Democrats believe Members of Congress must work together to pass comprehensive immigration reform. We can smartly secure our border and create a modern immigration system that reflects our American values, create a fair process for Dreamers and other undocumented immigrants with long ties to the U.S. to earn citizenship, revamp our visa system, and support U.S. businesses and farmers. Comprehensive immigration reform has the potential to reduce the deficit by over \$900 billion and create hundreds of thousands of American jobs.

For decades, Congress has failed to enact decisive, bipartisan immigration reforms, leading to the broken system we see today and an emboldened Executive Branch that pushes the boundaries of presidential power. New Dems have consistently pushed for Congress to act on this important issue, including in the 118<sup>th</sup> Congress, when the Coalition was [proud to support](#) the bipartisan Senate border security supplemental, which would have taken steps to fix our asylum system and secure the border.

After Congressional Republicans killed the bipartisan deal last year, New Dems released the [first version of an immigration framework](#) that could rekindle bipartisan cooperation and meet the urgent need for progress. When New Dems released our Vision for the Path Forward at the beginning of the 119<sup>th</sup> Congress, we once again emphasized our commitment to restoring order at the border and addressing the broken immigration system.

However, since the beginning of the 119<sup>th</sup> Congress we have seen under the Administration's Department of Homeland Security work to undermine the bedrock of the American legal system – including disregarding the Constitution, rolling back long-standing protections for individuals who follow the rules, and attacking any check on powers from the Judicial Branch. The Administration is undermining due process for both migrants and American citizens. It's creating chaos that is bad for American businesses and stoking fear throughout communities. It's sabotaging America's battle for global talent and putting our national security at risk. It's tearing at the fabric of our communities. Put plainly, the Administration's actions are antithetical to our shared American values, to our identity as both a nation of immigrants and a nation of laws.

Now, as the Executive Branch's overreach and Congressional Republicans' inaction continue to deepen the crisis, New Dems are building on our past efforts to chart a different path forward. We invite our colleagues on both sides of the aisle to join us in finding the consensus necessary to at last deliver commonsense immigration solutions for the American people.

## II. New Dem Principles

---

1. We believe Congress must urgently act to **fix our outdated and ineffective immigration system, restore public trust, and ensure fair and consistent enforcement.**
2. We support **commonsense reforms** that will **grow our economy** by promoting policies that align with workforce needs, fill job shortages, and strengthen our talent pipeline.
3. We are committed to expanding **safe, legal avenues for immigration** that will **ease pressure at the border and keep our system fair and humane.**

## III. NDC Immigration and Border Security Framework

---

### Section I: Secure Our Nation's Border, Once and For All

**The Problem:** *A single-minded focus on mass deportations is not a sustainable, long-term solution. Those who are convicted of a violent crime must be held accountable. Prioritizing enforcement against those who have followed the rules erodes trust in law enforcement and takes resources away from crime-fighting. It also fails to implement the long-term investments needed to ensure we have the technology, resources, and manpower to secure our border both at and between our ports of entry and faithfully enforce our immigration laws.*

**Our Vision:** *New Democrats believe that we must invest in 21<sup>st</sup> Century border security solutions across the whole of the U.S. border. This must include the most advanced technologies and ensuring we have the federal workforce needed to uphold our laws and stop the flow of illicit drugs while facilitating efficient cross-border commerce.*

#### **We Propose To:**

- Fund the Department of Homeland Security (DHS) at a sufficient level that ensures that Customs and Border Protection (CBP) has no fewer than 22,000 full-time Border Patrol agents, increase the number of CBP officers at ports of entry by at least 500 to help halt the flow of illicit drugs such as fentanyl, increase CBP retention bonuses, and raise the minimum pay rate of Border Patrol agents at or below the GS-12 pay scale level.
- Fund DHS at a sufficient level that ensures it can upgrade the technology used at the border including investment in radar surveillance systems, mobile remote video surveillance systems, manned and unmanned vehicles; aerial systems and drones; the CBP One app; and CBP's internal communications systems and improve infrastructure at the border including investment to upgrade roads and other pathways; clear invasive species that impede sightlines, and—in strategic locations where necessary—upgrade physical barriers.
- Increase funding for implementation and staffing related to use of scanning technology to meet the goal of inspection of 100% of cargo entering the U.S. at ports of entry to combat the smuggling of illegal drugs and contraband into the country.
- Direct DHS to implement biometric monitoring at their ports of entry by 2030 in accordance with Congressional Mandate.

- Support both domestic and international efforts to dismantle cartels and criminal organizations that are responsible for tracking dangerous drugs, like illicit fentanyl, and human smuggling at the U.S. border.

## Section II: Fully Enforce Our Nation's Immigration Laws

**The Problem:** *Under both Republican and Democratic administrations, the Executive Branch has increasingly relied on Executive orders and powers to enforce our immigration laws. Executive actions that undermine due process or judicial oversight do not just threaten protections for immigrants but also put at risk the constitutional rights of all Americans.*

**Our Vision:** *The American people must have confidence that the United States will enforce all immigration laws, but that it will also apply the law fairly and consistently. Undocumented immigrants who have committed felony crimes, and those who fail to earn legal status, should be deported or punished pursuant to current U.S. law. At the same time, the federal government must respect well-established legal rights and due process of immigrants.*

### **We Propose To:**

- Provide sufficient resources and oversight for the removal of individuals convicted of violent crimes.
- Increase DHS oversight and ensure humane detention conditions for migrants in U.S. custody.
- Initiate legal proceedings for undocumented immigrants that do not qualify for temporary legal status.
- Modernize and implement compliance tools, like E-Verify, only after other reforms are implemented, to digitally ensure U.S. employers can determine the work eligibility of new hires, with assistance to small businesses and safe harbor for employers that attempt in good faith to comply.
- Provide judicial discretion for immigration judges to consider marital, veteran, and other ties to the United States and specific communities when deciding legal status cases.

## Section III: Build the Workforce Our Economy Needs

**The Problem:** *From agriculture to health care, nearly every sector of the American economy faces workforce challenges. Worker shortages are creating supply chain bottlenecks and driving up costs for our most essential goods and services.*

**Our Vision:** *New Democrats believe the United States must take significant steps to meet the needs of American businesses and reform our worker visa system to meet labor market demands—because it's good for business and for consumers.*

### **We Propose To:**

- Establish a pathway for migrant farmworkers in the United States to earn legal status and make commonsense reforms to the H-2A visa program.
- Permanently authorize the Conrad 30 waiver program, which allows physicians studying in the United States on a J-1 visa a pathway into the country upon graduation.
- Create a new temporary non-immigrant visa category for year-round work in industries experiencing occupation shortages, including nurses, teachers, and hospitality and construction workers.
- Create a new caregiver visa to increase access to affordable child and elder care.
- Link the number of visas on employment, family reunification, and diversity bases to growth in the American population and economy.

- Continue oversight of all relevant programs to ensure that any increase of workforce visas do not negatively impact American workers or wages.

## Section IV: Strengthen America's Economic Competitiveness and National Security

**The Problem:** *Efforts to restrict and eliminate legal immigration pathways have set off a 'brain drain' from American businesses and universities, hurting America's competitiveness and benefiting countries like China who are actively recruiting American educated talent.*

**Our Vision:** *To maintain the U.S.'s position as the innovation capital of the world and the epicenter of research, we must win the global competition for talent. New Democrats believe that the U.S. should streamline the immigration process for the best and brightest—making it as easy as possible for high-skilled workers, recent college graduates, and entrepreneurs to come, stay, and contribute to our economy.*

### **We Propose To:**

- Eliminate the per-country cap for employment-based (EB) immigration visas and raise the family-sponsored per-country visa cap from 7 percent to 15 percent.
- Increase the number available EB visas to keep up with workforce demands.
- Expand employment-based pathways—including allocating 100,000 additional green cards per year for international graduates of U.S. colleges and universities, exempting the dependents of employment-based green card holders from numerical caps that apply to employment-based green cards.
- Establish a “startup visa” program that would provide legal permanent status for immigrants seeking to start businesses in the United States, thereby incentivizing the entry of global entrepreneurs and investment in the U.S. economy.
- Protect and strengthen programs for high skilled workers and immigrant investors.
- Incentivize researchers in emerging areas including Quantum and AI.

## Section V: Embrace Those Who are a Part of the American Fabric – A Pathway to Citizenship for Dreamers and TPS Holders

**The Problem:** *Efforts to terminate Temporary Protected Status (TPS) for hundreds of thousands of immigrants who have fled unstable home countries—including our Afghan allies who fought the Taliban alongside U.S. troops—go against our American values. Congress has also continued to fail to codify a permanent solution for Deferred Action for Childhood Arrivals, or DACA, program recipients.*

**Our Vision:** *New Democrats agree with the vast majority of Americans that our nation is long overdue in providing certainty, stability, and opportunity for Dreamers and TPS holders. Dreamers strengthen America everyday by getting an education, earning a living, and paying taxes. Nationwide, millions of small businesses, schools, and doctors' offices rely on these young people for a qualified, trained, and stable workforce. For those here under TPS, ending humanitarian protections means forcing them back to oppression and violence.*

### **We Propose To:**

- Grant Dreamers conditional permanent resident status if they sufficiently meet criteria, including passing security and law enforcement background checks; paying reasonable application fees; have

received a high school diploma, GED, are in a program assisting them in obtaining a high school diploma or GED; or are working.

- Grant Dreamers lawful permanent resident status if they acquire a degree from an institution of higher education, or complete at least two years of a post-secondary level degree program while remaining in good standing; complete at least two years of military service or are honorably discharged; OR maintain continued employment for a minimum of three years, at least 75 percent of which the individual was authorized to work in the United States.
- Pursuant to current naturalization requirements, permit Dreamers to apply for U.S. citizenship upon maintaining permanent resident status for five years.
- Prioritize creating legal pathways for legal residents, spouses of U.S. citizens, and parents of U.S. citizen children if they have resided in the country for over three years and pass security and law enforcement background checks.
- Extend protections for those who have lawfully resided in the U.S., specifically Temporary Protected Status (TPS) and Deferred Enforced Departure (DED) holders.
- Honor our promises to refugees, humanitarian parole from Haiti and other countries (CHNV), and our Afghan and Ukrainian allies.

## **Section VI: Provide A Path to Legal Status for Those Who Pass a Background Check and Pay a Fine**

***The Problem:** Currently mass deportation efforts are not targeting individuals who have been convicted of crimes or represent a creditable threat to public safety. Instead, DHS is sweeping up law-abiding individuals who have lived in this country for years—spreading fear in hard-working communities that want the opportunity to earn legal status.*

***Our Vision:** If law-abiding undocumented immigrants have been in this country for more than five years, working and paying taxes, they should be afforded the opportunity to earn their way to legal status. However, they should have to satisfy certain requirements—including meeting strict eligibility criteria, paying a fine, and passing a criminal background check.*

### ***We Propose To:***

- Grant undocumented immigrants who arrived to the United States when they were over the age 18 and have been present for five years temporary legal status, only if they pay a fine, pass a criminal background check, have not been convicted of a felony offense in the United States or their country of origin, and are enrolled in school or work full time.
- At the end of five years, grant those individuals lawful permanent residence status if they continue to meet certain criteria.

## **Section VII: Fix Our Broken Asylum System and Safeguard It from Abuse**

***The Problem:** The U.S. immigration system is broken, resulting in long wait times for work visas, overloaded dockets in immigration court, and a lack of faith in our system.*

***Our Vision:** New Democrats propose a structural overhaul of the broken and backlogged immigration court system, one that reestablishes trust and transparency. Additionally, we must encourage and provide resources for*



migrants to apply for asylum before they make the dangerous journey to our border.

***We Propose To:***

- Provide funding to hire additional immigration judges and staff support to address the significant backlog of asylum cases and accelerate the adjudication process.
- Transition the nation's immigration court system into an independent judiciary, consistent with Article I of the U.S. Constitution.
- Expand the number of migrant processing coordinators to improve asylum processing at designated ports of entry.
- Establish new regional processing centers (RPCs) in Latin America to allow asylum-seekers to visit the nearest RPC before traveling, receive an interview, and if eligible, be processed for lawful entry into the United States, Canada, Spain and other participating nations.

**Section VIII: Strengthen U.S. Bilateral Relationships and Address Root Causes of Migration**

***The Problem:*** *The U.S. cannot solve this problem alone. Current efforts to implement aimless tariffs and isolate the U.S. from our allies only make it more difficult to address the root cause of migration, combat cartels and those taking advantage of our broken immigration system, and ensure our national and economic security.*

***Our Vision:*** *New Democrats believe we must prioritize deep and sustained engagement with Latin American nations—especially Mexico—as well as regional non-governmental organizations (NGOs) and the private sector to address the root causes of migration and before migrants reach our border. We must also work with our ally Canada to prevent drug trafficking across the Northern Border.*

***We Propose To:***

- Work with the Department of State, international NGOs, and local authorities to disrupt the flow of drugs and illicit fentanyl and fentanyl-related substances, including by sharing information on precursor chemicals, providing more detection tools, addressing gang recruitment, and encouraging local education for local work.
- Improve economic partnerships to deter China-Russia partnerships, including by exploring trade opportunities, access to financial markets, and foreign direct investment to solidify relationships.
- Support international efforts to combat cartels and criminal organizations responsible for drug and human trafficking across our southern border, as well as prevent opioid trafficking across our northern border.

**Section IX: Improve Efficiency**

***The Problem:*** *Recent attacks on the federal workforce have only extended already long wait times, slowed visa processing, and added to mounting backlogs.*

***Our Vision:*** *New Democrats believe that we must bring our immigration system into the 21<sup>st</sup> Century—that includes hiring the appropriate staff and modernizing technology to process visa applications and making necessary improvements to facilitate cross border trade. This will enable those who are legally seeking asylum in the U.S. to be given a fast, fair, and final decision.*

***We Propose To:***

- Fund strategic investments and upgrades to ports of entry to improve the efficiency of cross-border trade with our allies.
- Modernize immigration agencies to improve the efficiency of technology and visa processing.
- Direct the State Department, Department of Labor, and Department of Homeland Security to create a national strategy to match individuals with relevant skills to localities with labor needs, including an action plan when they are admitted into the U.S.

## **IV. Next Steps**

---

As dysfunction in Washington continues to fuel disorder at the border and uncertainty for families and businesses across the country, the New Dem Immigration and Border Security vision invests in strong border security—a necessity—while building a commonsense 21<sup>st</sup> century immigration system that helps Americans prosper. Ultimately, Congress must do its job and come together to enact meaningful legislation.