Immigrants make invaluable contributions to American innovation, the American economy and the American Dream. They bring new ideas and fresh perspectives to our companies and our communities. They are workers and taxpayers who complement the domestic workforce and make contributions large and small to our everyday lives. They are also our neighbors. Immigrants built our country and are central to its future.

America truly is a nation of immigrants. It is also a nation governed by the rule of law. U.S. immigration policy should make our borders secure. U.S. immigration policy must balance these values. It must also reflect the realities of the 21st century economy. It must help build a diverse workforce that allows American companies to serve global customers, compete in new markets and leverage different perspectives that fuel innovation.

Unfortunately, U.S. immigration policy today is failing our country and all who have a stake in America’s success. Legal channels for immigration have not kept pace with the U.S. economy; immigration laws have been indiscriminately enforced; 10.5 million immigrants live in the United States without documentation; far too many individuals live here under temporary relief from removal; and laws are applied without transparency, consistency or predictability.

*America’s business leaders believe we can, and must, do better as a nation.* U.S. immigration policy should keep our country and citizens safe while remaining true to the American values of welcoming immigrants, protecting refugees and other vulnerable populations, and treating all people fairly.

With these values as a guide, we propose five principles for modernizing the U.S. immigration system to reflect the world we live in today:

1. **The government should administer U.S. immigration laws in a transparent, consistent and predictable manner.** Businesses are more likely to invest and grow in the United States if they know how the government will administer the immigration rules, and talented foreign workers are more likely to pursue opportunities here if they know the rules will not change while they go through the process. Congress should fulfill its oversight role to ensure that agencies apply the laws consistently and without unnecessary delay.

2. **The United States should increase the number of immigrants who have the skills needed to grow the U.S. economy.** U.S. immigration policy should reflect the widely accepted fact that our economy and communities have benefited from immigrants’ knowledge, skills and hard work — particularly in the high-demand science, technology, engineering and mathematics (STEM) fields and other high-demand fields.

3. **The United States should improve access to temporary workers with skills needed in the marketplace.** A modern U.S. immigration system will allow talented, foreign-born workers to fill critical skills gaps that will fuel economic growth.
4. **Congress should embrace bipartisan, practical solutions to address undocumented immigrants and those living under temporary relief from removal.** Whether it be individuals who entered the United States without authorization, minor children they brought with them, or individuals who have been granted temporary relief from removal, Congress needs to address these populations with fair, just and practical solutions.

5. **The United States should use cutting-edge technology to improve the immigration system.** Just as companies employ leading innovations to improve processes and keep America competitive, the government should use cutting-edge technology to enhance national security and improve the administration of immigration laws.

**Principle 1: The government should administer U.S. immigration laws in a transparent, consistent and predictable manner.**

The inconsistent application of our immigration laws deters investment in the United States and makes it more difficult for companies to plan their workforce needs. Shifting government standards is particularly difficult for foreign workers going through the process, and the United States will lose talent to other countries that offer a more predictable, transparent process.

Businesses are more likely to invest and grow in the United States if they know how the government will administer the immigration rules, and talented foreign workers are more likely to pursue opportunities here if they know the rules will not change while they go through the process. Congress should fulfill its oversight role to ensure that agencies apply the laws consistently and without unnecessary delay.

**Proposed solutions include:**

- **Requiring government adjudicators to apply immigration policy in a consistent manner.** The arbitrary application of the law – on similar applications and in the context of requests to extend work visas – creates an unpredictable environment for companies and discourages talented workers from pursuing opportunities in America.

- **Considering public input on policy changes and providing notice.** The government should follow required procedures and provide adequate notice to the public of proposed policy changes. Regulators should solicit and consider opinions and feedback from the public before making and implementing policy changes. The government should also apply new policies on a going-forward basis and should not negatively impact foreign workers by changing the rules while they are in the process.

- **Reducing case processing times to reduce unnecessary costs for U.S. companies.** Unpredictable and lengthy case processing timelines force companies to incur additional costs and create inefficiencies in the immigration system. The government should adjudicate applications in a reasonable timeframe and expand opportunities for companies to request expedited processing.
**Principle 2: The United States should increase the number of immigrants who have the skills needed to grow the U.S. economy.**

Immigrants to the United States are net job creators who drive innovations that deliver dividends across the economy and in communities large and small. They are a beneficial, needed complement to the native-born workforce, not a replacement. According to an October 2018 report from the National Foundation for American Policy, U.S. companies valued at $1 billion dollars or more with immigrant founders created an average of 1,200 jobs per company.

U.S. immigration policy should reflect the widely accepted fact that our economy and communities have benefited from immigrants’ knowledge, skills and hard work — particularly in the high-demand science, technology, engineering and mathematics (STEM) fields and other high-demand fields.

**Proposed solutions include:**

- **Reducing the green card backlog for foreign-born professionals.** The current green card wait time for legal immigrants is untenable. Several reforms can be made to alleviate these backlogs and reduce the time these highly sought-after professionals must currently wait to receive permanent status, including: increasing annual limits on green cards; eliminating per-country limits on green cards; allowing temporary workers to remain in the United States if caught in the backlog; exempting family members from the 140,000 cap; and exempting those with special skills.

- **Removing barriers to retaining foreign-born graduates of U.S. colleges and universities, especially those with advanced STEM degrees.** A high percentage of STEM graduate students at U.S. universities are foreign born, and it is important for U.S. economic and innovation leadership to be able to retain and employ them. Programs that allow foreign students to work after graduating, like Optional Practical Training (OPT), should be preserved, and a new, streamlined path to a green card should be available to students with special skills who want to work and stay in the United States.

- **Ensuring that any new method for allocating green cards, such as a points-based system, takes account of employment- and family-based needs and has bipartisan support.** Any new system should complement—not replace—the existing system. Policymakers should consider the successes and failures of other countries’ immigration systems; take into account the viewpoints of all stakeholders; recognize that U.S. employers are best positioned to identify skills gaps and select their workforces; and pursue solutions that create lasting confidence in our immigration system.

**Principle 3: The United States should improve access to temporary workers with skills needed in the marketplace.**

An immigration system that meets our economic needs will not only allow needed workers to come here today, but will also adjust to our changing economy each year based on objective data. An October 2018 analysis by New American Economy found that almost 44 percent of Fortune 500 companies were founded by immigrants or their children. Static and arbitrary immigration quotas (last established in 1990) prevent our economy from welcoming hardworking, talented individuals who will make great contributions.
A modern U.S. immigration system will allow talented, foreign-born workers to fill critical skills gaps that will fuel economic growth and will ensure policies are applied transparently, consistently and predictably.

**Proposed policy solutions include:**

- **Increasing work visa numbers for foreign workers to reflect current skills gaps and allow for adjustments based on the needs of the economy.** Congress must create a workable visa system where the number of foreign workers fluctuates based on economic growth and employment data, not political dynamics.

- **Allowing spouses of high-skilled visa holders to work.** Today, only a limited number of spouses of foreign workers may apply for U.S. work authorization. Other countries, such as Australia and Canada, allow spouses of highly skilled workers to accept employment. This should be an option in the United States.

- **Increasing flexibility for and job portability of foreign workers.** It is often extremely difficult for temporary visa holders, particularly those who are pursuing green cards, to change positions within their companies or change employers altogether without jeopardizing their immigration status or their green card applications.

- **Reforming the current system for year-round jobs and creating a new visa category to help fill occupation shortages when U.S. unemployment is low.** Current law provides no visa category for foreign-born workers to work legally in the United States on a year-round basis in high-demand industries, such as hospitality, agriculture and construction. Establishing a legal workable system to hire in these kinds of year-round industries when U.S. unemployment is low, by reforming the current system and creating a new visa category for these kinds of jobs, would help fill critical staffing needs.

**Principle 4: Congress should embrace bipartisan, practical solutions to address undocumented immigrants and those living under temporary relief from removal.**

The U.S. immigration system has been broken for so long that tough decisions on how to solve the issues of the undocumented and temporary status populations will have to be made. There are 10.5 million immigrants in the United States today without documentation; hundreds of thousands of individuals were brought here as minors; and many now live here under temporary relief from removal.

Whether it be individuals who entered the United States without authorization, minor children they brought with them, or individuals who have been granted temporary relief from removal, Congress needs to address these populations with fair, just and practical solutions.

**Guiding principles for finding a solution:**

- **Legislation should be bipartisan.** Single-party solutions have failed. Congress must be practical and provide lasting, consensus solutions that create policy around which America can move forward.
• **Policies must address childhood arrivals and create a path to citizenship for them.** American values of justice and fairness dictate that someone who was brought to the U.S. as a child and knows no other country, a so-called Dreamer, should have those circumstances taken into account by Congress. America’s business leaders are confident that Congress can work in a bipartisan manner to design a way forward that serves American interests while staying true to our values.

• **Policy choices must encourage future lawful immigration, but must also be practical, fair and consistent with American values.** Our nation’s leaders must remember that we are a nation of immigrants and a nation governed by the rule of law. Policymakers must find a way to balance these fundamental American values in creating an immigration system that will serve our nation into the future.

**Principle 5: The United States should use cutting-edge technology to improve the immigration system.**

According to Pew Research Center, 10.5 million unauthorized immigrants were in the United States in 2017, accounting for 3.2 percent of the nation’s population. Pew Research also reports that nearly 5 percent of the American workforce is not authorized to work. Such numbers are clear indicators that the current immigration system is broken and must be fixed. The government should use cutting-edge technology to enhance national security and improve the administration of immigration laws.

**Proposed policy solutions include:**

• **Phasing in mandatory use of an updated E-Verify system.** A paper-based verification system is susceptible to fraud and has failed to serve as an effective deterrent. Congress should update E-Verify to address identity theft, preempt conflicting state laws and protect employers that use the system in good faith from legal action that may result from their efforts to comply.

• **Expanding the Known Employer and Trusted Traveler Programs.** The Known Employer program streamlines the visa application process for reliable employers who have consistently received visa approvals for their employees. Trusted Traveler Programs do the same for qualified travelers to the United States. Expanding these programs will create greater efficiency and save the government, companies and individuals from expending unnecessary time and resources. Congress should also encourage inter-governmental data-sharing arrangements, like those in the Visa Waiver Program, that facilitate secure travel and legal border crossings.

• **Allowing e-filing for immigration benefits.** Currently, most immigration benefit applications must be printed and submitted via the postal system, which forces the government and companies to incur steep administrative costs and burdens.