

## FEDERAL IMMIGRATION AND WORKFORCE POLICY

# The Yellow Card Act

*Bipartisan Discussion Draft*

A paid, vetted legal worker-status pilot paired with anti-smuggling enforcement, border integrity, and enforceable labor standards.

**DOCUMENT STATUS**

Discussion draft — not introduced in Congress. For stakeholder feedback only. General information, not legal advice.

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## READING NOTE

This draft is deliberately narrower than comprehensive immigration reform. It is structured as a five-year federal pilot so Congress can test compliance, labor-market, border, and fiscal outcomes before any permanent program is considered.

Drafting counsel should review the asylum election, military naturalization pathway, benefit restrictions, appropriations, fee authority, privacy protections, and interaction with existing immigration classifications before introduction.

## One-page summary — the deal

*Order at the border. A lawful channel for work. Accountability throughout.*

### The problem

The current system combines incentives for unauthorized migration, heavy reliance on smugglers, an overloaded asylum and immigration-court system, informal employment, and weak leverage over abusive employers. The result serves neither border security nor lawful economic demand. Congress needs a controlled channel that moves applicants into government screening before travel and moves money away from criminal networks.

### The solution

Create a five-year Yellow Card pilot for eligible economic migrants who apply from abroad at designated processing centers, complete identity, criminal, security, and health screening, pay the full administrative cost, and make an informed election not to pursue future asylum claims through this channel. Approved participants receive three-year renewable work authorization, must use E-Verify employers, remain tax-compliant, obey labor and criminal laws, and may not vote or receive federal means-tested benefits. Status is temporary and revocable; it is not a general legalization program or an automatic path to citizenship.

### What Republicans get

- Applications occur abroad, before travel, with biometric and biographic vetting and security screening.
- Mandatory E-Verify, self-funded administration, no federal means-tested benefits, no voting, and revocation for fraud or felony conviction.
- Dedicated anti-smuggling investigations, stronger penalties, measurable border-integrity benchmarks, and a five-year sunset unless Congress affirmatively reauthorizes.

### What Democrats get

- A lawful, orderly labor channel that reduces dependence on smugglers and informal employment.
- Prevailing-wage rules, workplace-rights enforcement, anti-retaliation safeguards, portability between qualified employers, and access to immigration-court capacity.
- Independent oversight, public reporting, due-process procedures before revocation, privacy limits, and a voluntary, fully self-paid health option with no federal subsidy.

#### THE LEGISLATIVE ASK

Invite a bipartisan House and Senate working group to test the framework, request technical assistance from the Department of Homeland Security and Department of Labor, obtain a formal Congressional Budget Office score, and prepare introduction in the 120th Congress.

## Findings

Congress finds the following:

1. Undocumented immigrants paid an estimated \$96.7 billion in federal, state, and local taxes in tax year 2022. This figure is a modeled estimate, not an administrative count.
2. One modeled analysis estimates that full work authorization for the existing undocumented population would increase annual tax payments by \$40.2 billion, to \$136.9 billion. This is a think-tank projection and not a Congressional Budget Office score.
3. The United Nations Office on Drugs and Crime estimated annual migrant-smuggling revenues of \$3.7 billion to \$4.2 billion on the route to the United States using 2016 data. A 2025 peer-reviewed analysis suggests current revenues may exceed \$8 billion. These estimates concern revenues, not profits.
4. Reported smuggling fees commonly range from \$5,000 to \$20,000 or more per person, depending on origin, route, nationality, and criminal network. A single flat price does not describe the market accurately.
5. U.S. Customs and Border Protection recorded approximately 10.8 million enforcement encounters nationwide during fiscal years 2021 through 2024: 1.96 million, 2.77 million, 3.20 million, and 2.90 million, respectively. Encounters are not unique individuals and include repeat encounters and multiple enforcement categories.
6. Undocumented households paid an estimated \$89.8 billion in taxes and held \$299 billion in spending power in 2023, underscoring both economic participation and the costs of work occurring outside stable legal channels.
7. A lawful channel is most credible when paired with border enforcement, employer accountability, worker protections, independent measurement, and an automatic sunset absent congressional reauthorization.
8. No State may create federal immigration status. The pilot established by this Act is exclusively federal; State and local governments may assist with ordinary labor enforcement and service coordination only as otherwise authorized by law.

### EVIDENCE STANDARD

Unsupported claims about immigrant remittances, unpaid taxes, total earnings, and economic “value” are not used in this draft. Appendix A states every retained figure with its source and limitation.

## Bill text

A BILL

**To establish a temporary, self-funded lawful worker-status pilot for screened economic migrants applying from abroad; to strengthen anti-smuggling enforcement and border integrity; to protect workers and taxpayers; and for other purposes.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

### SEC. 1. Short title.

This Act may be cited as the “Yellow Card Act”.

### SEC. 2. Definitions.

| Term                         | Meaning                                                                                                                            |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| Cardholder                   | An alien granted Yellow Card status under section 102.                                                                             |
| Designated processing center | A facility outside the United States approved by the Secretary of Homeland Security to receive applications and conduct screening. |
| Qualified employer           | A United States employer enrolled and in good standing in E-Verify and compliant with Title IV.                                    |
| Secretary                    | The Secretary of Homeland Security, except where another officer is expressly named.                                               |
| Status                       | The temporary, conditional nonimmigrant classification created by this Act.                                                        |

#### DRAFTING NOTE

Legislative counsel should place the new classification within the Immigration and Nationality Act, conform cross-references, and determine whether the pilot requires a numerical cap or phased enrollment.

## TITLE I — YELLOW CARD STATUS

### SEC. 101. Establishment of pilot classification.

The Secretary shall establish a temporary Yellow Card classification for eligible economic migrants who apply from outside the United States. No grant under this title creates lawful permanent resident status, an entitlement to renewal, or an entitlement to remain after expiration or termination.

### SEC. 102. Eligibility and overseas application.

An applicant shall—

- file an application in person or through a secure process at a designated processing center outside the United States before seeking admission under this Act;
- provide biometrics, biographic information, identity documents, and any information reasonably required to establish identity and admissibility;
- complete criminal-history, national-security, terrorism, trafficking, fraud, and immigration-record checks;
- complete a health screening consistent with standards applicable to comparable lawful entrants;
- attest that the principal purpose of entry is employment or other lawful economic activity, rather than a claim of persecution; and
- pay the fee required by section 108, subject to no taxpayer subsidy.

The Secretary may deny an application where identity cannot be established, required screening is incomplete, the applicant is inadmissible on security or serious criminal grounds, or approval would create a specific public-safety risk. A denial shall state the basis, subject to protection of classified information, and provide a limited administrative review for material error.

### **SEC. 103. Informed asylum election.**

Before approval, an applicant shall make a knowing, voluntary, and informed election not to file a future affirmative asylum application while in Yellow Card status. The election shall be explained in a language the applicant understands, documented in writing, and subject to a 30-day withdrawal period before final approval.

Nothing in this section shall be construed to waive protection that cannot lawfully be waived, including withholding of removal or protection under the Convention Against Torture, or to authorize return of a person in violation of the laws of the United States. Congress intends the election to distinguish an economic-migration channel from the asylum system; legislative counsel shall confirm the scope and enforceability of the provision.

### **SEC. 104. Admission, employment, and employer verification.**

A cardholder may be admitted for employment with any qualified employer, subject to the labor protections in Title IV. Employment authorization shall be portable and may not be tied exclusively to one employer. Each qualified employer shall verify employment eligibility through E-Verify and retain confirmation records as required by the Secretary.

The Secretary of Labor may suspend an employer from participation for a pattern or practice of wage theft, retaliation, misclassification, unsafe working conditions, unlawful recruitment fees, or knowing misuse of the program.

### **SEC. 105. Duration and renewal.**

Yellow Card status shall be valid for three years and may be renewed in three-year increments during the pilot. Renewal requires continued identity verification, payment of required taxes, compliance with employment and reporting rules, and no disqualifying criminal conduct. Renewal is discretionary and confers no right to permanent residence.

### **SEC. 106. Travel and reentry.**

A cardholder may travel outside the United States and seek reentry during the validity period. A single trip may not exceed six months unless the Secretary grants an extension for serious illness, family emergency, military orders, or other good cause. Reentry remains subject to inspection and admissibility screening.

### **SEC. 107. Benefits, voting, and public-charge neutrality.**

A cardholder is not eligible, solely by reason of that status, for any federal means-tested public benefit. The Secretary shall publish a plain-language list of excluded programs and any benefits required by federal law

notwithstanding this section. Nothing in this Act confers the right to vote in any federal election. Yellow Card status shall not be treated as lawful permanent residence.

### **SEC. 108. Fees and self-funding.**

The Secretary shall set application and renewal fees at a level reasonably calculated to recover the full direct and indirect cost of administering the program, including screening, adjudication, fraud detection, secure documents, compliance, and independent auditing. Fees shall be deposited in a dedicated Yellow Card Program Account and may be used only as authorized by this Act. The Secretary shall publish an annual fee and cost report.

### **SEC. 109. Revocation and due process.**

The Secretary shall revoke status upon a final felony conviction, a material fraud finding in the application, intentional benefits fraud, a national-security determination supported by law, or repeated willful noncompliance with program conditions. Except where immediate action is required by a specific security threat, the cardholder shall receive written notice, an opportunity to respond, an administrative decision by an officer not involved in the initial allegation, and a record for judicial review as provided by law.

Minor traffic offenses, good-faith tax errors promptly corrected, reporting by a crime victim, and protected labor activity shall not independently support revocation.

### **SEC. 110. Military service and naturalization.**

Yellow Card status creates no civilian path to citizenship. Congress may authorize an expedited path to naturalization for a cardholder who completes qualifying honorable service in the Armed Forces, subject to Department of Defense force-management needs, security standards, existing military-accession law, and implementing regulations jointly issued by the Secretaries of Defense and Homeland Security. Nothing in this section requires the Department of Defense to accept any applicant for service.

## TITLE II — ANTI-SMUGGLING ENFORCEMENT

### SEC. 201. Enhanced penalties for smuggling and trafficking.

Congress shall increase penalties, consistent with constitutional requirements, for organizers and financiers of migrant-smuggling operations; smuggling involving minors, sexual exploitation, forced labor, kidnapping, extortion, serious bodily injury, or death; and laundering or transmitting proceeds derived from such conduct. Penalty enhancements shall target criminal organizers and knowing facilitators, not migrants solely because they were transported or exploited.

### SEC. 202. Homeland Security Investigations task forces.

The Secretary shall expand multi-agency Homeland Security Investigations task forces focused on financial disruption of migrant-smuggling and human-trafficking networks, including intelligence analysis, cross-border financial investigations, asset tracing, victim identification, and coordination with willing foreign partners consistent with human-rights and privacy safeguards.

### SEC. 203. Dedicated anti-smuggling allocation.

After fully funding program administration and required reserves, the Secretary may transfer a congressionally specified portion of net fee collections to a dedicated anti-smuggling enforcement account. No transfer may reduce screening, adjudication, labor enforcement, oversight, or due-process functions required by this Act. All transfers and uses shall be reported quarterly to Congress and audited annually.

### SEC. 204. Financial disruption plan.

Within 180 days, the Secretary, in coordination with the Secretary of the Treasury and the Attorney General, shall submit a plan to identify, seize, and forfeit proceeds of covered smuggling offenses; improve suspicious-transaction information sharing as permitted by law; and measure disruption by networks dismantled, victims protected, assets restrained, prosecutions completed, and recurrence reduced—not by raw arrest counts alone.

## TITLE III — BORDER INTEGRITY

### SEC. 301. Integrity of the asylum system.

The Secretary shall maintain a separate application pathway for Yellow Card applicants so that economic-migration applications do not enter the affirmative-asylum queue. Officers shall screen for coercion, trafficking, or facts suggesting a nonwaivable protection claim before accepting the election under section 103. No officer may pressure an asylum applicant to enter the Yellow Card program.

### SEC. 302. Immigration-court capacity.

Congress shall authorize appropriations to the Department of Justice for additional immigration judges, judicial law clerks, interpreters, modern case-management technology, and legal-orientation services necessary to reduce pending caseloads while preserving fair hearings. Such funds shall supplement, not supplant, existing appropriations.

### SEC. 303. Operational coordination and metrics.

The Secretaries of Homeland Security, State, Labor, and the Attorney General shall coordinate overseas processing, identity and security checks, employer compliance, and court-capacity planning. Public quarterly dashboards shall report applications, approvals, denials, processing times, fraud findings, revocations, E-Verify

compliance, labor violations, border encounters, smuggling investigations, and adjudication backlogs, with privacy-protective aggregation.

## **TITLE IV — WORKER PROTECTIONS**

### **SEC. 401. Wage and working-condition standards.**

A qualified employer shall pay a cardholder not less than the greater of the applicable federal, State, or local minimum wage; the prevailing wage determined for the occupation and area; or the wage paid to similarly situated United States workers. Cardholders shall receive the same workplace protections, payroll records, tax withholding, safety rights, and remedies available to similarly situated workers.

### **SEC. 402. Portability and recruitment fees.**

A cardholder may change among qualified employers without prior permission, subject to prompt notice to the Secretary. An employer, recruiter, or agent may not charge a cardholder a job-placement, sponsorship, or recruitment fee. Contract terms waiving rights under this title are void as against public policy.

### **SEC. 403. Anti-retaliation and enforcement.**

No person may discharge, threaten, blacklist, report to immigration authorities, or otherwise retaliate against a cardholder for reporting a violation, cooperating with an investigation, seeking unpaid wages, organizing with coworkers, or exercising a right under law. The Secretary of Labor shall provide confidential complaint channels, civil penalties, back pay, reinstatement, debarment, and referral for prosecution where appropriate.

## TITLE V — OPTIONAL YELLOW HEALTH COVERAGE

### SEC. 501. Optional, participant-funded coverage.

The Secretary of Health and Human Services may approve a regulated health-coverage option available only by voluntary election of a cardholder. Participation shall not be a condition of status or employment. Premiums, deductibles, and participant contributions shall cover 100 percent of claims, administration, reserves, risk adjustment, and oversight attributable to the option.

### SEC. 502. No federal subsidy or entitlement.

No federal appropriated funds, Medicaid funds, premium tax credits, cost-sharing reductions, Affordable Care Act marketplace subsidies, or other federal means-tested benefits may be used to subsidize coverage under this title. The United States shall not guarantee losses. Any plan must remain actuarially sound and maintain segregated accounts subject to annual independent audit.

### SEC. 503. Consumer protections.

Approved coverage shall provide plain-language terms, licensed administration, nondiscrimination consistent with applicable law, claims and appeal procedures, provider-network disclosures, privacy protections, and an orderly wind-down plan. Employers may contribute only if contributions do not create coercion, debt bondage, or restrictions on job portability.

### SEC. 504. Severability of Title V.

Title V is severable from every other provision of this Act. A judicial ruling, appropriation decision, failure to implement, or congressional repeal affecting Yellow Health shall not affect Yellow Card status, anti-smuggling enforcement, border integrity, worker protections, or oversight.

## TITLE VI — OVERSIGHT, SUNSET, AND REAUTHORIZATION

### SEC. 601. Five-year pilot and enrollment plan.

The authority to approve new applications shall expire five years after the first approval unless reauthorized by Congress. Within 180 days after enactment, the Secretary shall publish a phased enrollment plan, operational capacity limits, fraud controls, privacy impact assessment, and implementation schedule. No enrollment target shall override screening quality or labor-enforcement capacity.

### SEC. 602. Government Accountability Office evaluation.

The Comptroller General shall issue interim reports at years 2 and 4 and a final report no later than 180 days before sunset. The reports shall evaluate fiscal performance, fee sufficiency, processing integrity, fraud, national-security screening, smuggling disruption, border trends, employer compliance, wages and displacement, tax compliance, health-option solvency, court backlogs, and participant outcomes.

### SEC. 603. Formal budget score and reporting.

The sponsors shall request a formal Congressional Budget Office estimate before committee markup. Agency estimates, advocacy studies, and think-tank projections shall not be represented as a Congressional Budget

Office score. The Secretary shall submit annual audited financial statements for the Yellow Card Program Account and disclose any cross-subsidy or unfunded liability.

#### **SEC. 604. Reauthorization vote.**

Continuation beyond the pilot requires affirmative reauthorization by Congress. A reauthorization proposal shall include the Government Accountability Office findings, the Congressional Budget Office estimate, agency performance data, and recommended changes. Absent reauthorization, existing cardholders may complete the then-current status period, subject to enforcement and orderly-transition rules, but no new grants or renewals may be issued after the statutory wind-down date.

#### **SEC. 605. General severability.**

If any provision of this Act, or its application to any person or circumstance, is held invalid, the remainder of the Act and the application of its remaining provisions shall not be affected, except as specifically provided in section 504.

## Bipartisan design notes

The draft is built around reciprocal concessions. Each side receives enforceable policy, not messaging alone.

| Provision                     | Republican concern                   | Democratic concern                          |
|-------------------------------|--------------------------------------|---------------------------------------------|
| Apply abroad + vetting        | Border control; pre-travel screening | Orderly access; fewer smuggler ties         |
| Asylum election               | Separates economic channel           | Voluntary; preserves nonwaivable protection |
| E-Verify + tax compliance     | Employer accountability; rule of law | Formal payroll and contribution record      |
| No benefits or vote           | Counters “amnesty” claim             | Clear, narrow temporary status              |
| Three-year status + sunset    | No permanent entitlement             | Stability with evidence-based renewal       |
| Anti-smuggling funding        | Disrupts criminal finance            | Protects migrants from exploitation         |
| Prevailing wage + portability | Protects U.S. workers                | Prevents coercion and wage theft            |
| Court funding                 | Faster lawful decisions              | More capacity and fair hearings             |
| Self-paid health option       | Zero taxpayer subsidy                | Voluntary coverage; less uncompensated care |
| GAO + CBO review              | Independent accountability           | Transparent outcomes before reauthorization |

### What this draft does not do

- It does not grant lawful permanent residence, blanket legalization, voting rights, or federal means-tested benefits.
- It does not permit States to create immigration status; the classification is exclusively federal.
- It does not require the Armed Forces to accept cardholders or guarantee naturalization through military service.
- It does not use program fees for anti-smuggling work until administration, screening, labor enforcement, oversight, and reserves are fully funded.
- It does not characterize private projections as official Congressional Budget Office estimates.
- It does not replace the asylum system or authorize removal contrary to nonwaivable federal or treaty protections.

### Open questions for bipartisan negotiation

- Annual enrollment cap, country allocation, occupational priorities, and whether employers must document recruitment of U.S. workers.
- Exact criminal inadmissibility and revocation standards, waiver authority, and review procedures.
- The legally enforceable scope of the asylum election and its interaction with changed circumstances after admission.
- Fee level, reserve requirements, and the fraction—if any—available for anti-smuggling enforcement.
- The military-service naturalization mechanism and whether a nonmilitary earned adjustment pathway should be considered after the pilot.
- Appropriations level and performance targets for immigration-court capacity.
- Whether Yellow Health should remain in the introduced bill or proceed as a separate, severable title.

#### NEGOTIATING PRINCIPLE

Do not trade away the paired structure. A legal channel without enforcement will lose the right; enforcement without lawful access and worker safeguards will lose the left. The durable center is the package.

## APPENDIX A

# Verified numbers

These are the only quantitative claims approved for use in the advocacy package. Each should be presented with its date and limitation.

| Measure                 | Verified figure  | Period    | Required caveat               |
|-------------------------|------------------|-----------|-------------------------------|
| Taxes paid              | \$96.7B          | 2022      | Estimated; modeled, not count |
| With work authorization | +\$40.2B/yr      | 2022 base | Projection; not CBO score     |
| U.S.-route smuggling    | \$3.7–4.2B/yr    | 2016      | Revenue, not profit           |
| Updated smuggling view  | \$8B+            | 2025      | Recent analysis; model-based  |
| Smuggling fee           | \$5K–\$20K+      | 2016–24   | Varies by route/nationality   |
| CBP encounters          | ~10.8M           | FY21–24   | Not unique individuals        |
| Taxes / spending power  | \$89.8B / \$299B | 2023      | Household estimates           |

## Source notes

**ITEP tax estimate and work-authorization projection.** Undocumented immigrants paid an estimated \$96.7 billion in federal, state, and local taxes in 2022. The same analysis projects an additional \$40.2 billion per year under full work authorization, bringing the total to \$136.9 billion. Both are modeled estimates; the latter is not a CBO score. [Source](#)

**UNODC smuggling-revenue estimate.** Using 2016 data, the United Nations Office on Drugs and Crime estimated \$3.7–4.2 billion in annual revenues on the route to the United States. Say “revenues,” not “profits.” [Source](#)

**PNAS updated analysis.** A 2025 peer-reviewed analysis suggests U.S.-route smuggling revenues may exceed \$8 billion. Present this as an analytical estimate, not an audited market total. [Source](#)

**CBP enforcement encounters.** CBP recorded approximately 10.8 million nationwide enforcement encounters from FY2021 through FY2024: 1.96M, 2.77M, 3.20M, and 2.90M. Encounters are not unique people and include repeat encounters and multiple enforcement categories. [Source](#)

**American Immigration Council household estimates.** Undocumented households paid an estimated \$89.8 billion in taxes and held \$299 billion in spending power in 2023. [Source](#)

## Smuggling-fee range

Published Department of Homeland Security, Immigration and Customs Enforcement, and news reporting from 2016–2024 commonly places fees between \$5,000 and \$20,000 or more per person, with higher figures for

some routes and nationalities. The draft uses a range rather than a flat \$20,000 price because no single average accurately describes the market.

## Claims removed from the package

| Removed claim                             | Reason                                                                                         |
|-------------------------------------------|------------------------------------------------------------------------------------------------|
| More than \$200B in immigrant remittances | Incorrect for total U.S. outflows; the figure does not match a standard U.S. aggregate.        |
| \$40–60B in undocumented remittances      | No authoritative source separates U.S. remittance outflows by the sender's immigration status. |
| \$24–31B in unpaid taxes                  | Unsourced; replaced with the ITEP \$40.2B modeled work-authorization difference.               |
| \$466B in earnings / \$90–100B in “value” | Unsourced as stated; replaced with tax and spending-power estimates that can be cited.         |

## APPENDIX B

## Sponsor target map — 119th Congress

### TIMING

The 120th Congress convenes January 3, 2027. Re-verify every chair, roster, district, bill status, and legal/political development after the November 3, 2026 midterms. The realistic 2026 objective is a discussion draft, technical briefings, and coalition formation—not final passage.

### Recommended opening sponsor structure

Open with a four-corner working group: Salazar and Escobar in the House; Lankford and Gallego in the Senate. Add a border-district validator, an employer/workforce Republican, a labor-protection Democrat, and a committee gatekeeper before public rollout. Do not announce a “bipartisan” bill until at least one credible member from each party has accepted a substantive drafting role.

### Tier 1 — House Republicans

| Target               | District | Strategic role                             |
|----------------------|----------|--------------------------------------------|
| María Elvira Salazar | R-FL-27  | Natural GOP lead; DIGNIDAD sponsor         |
| Tony Gonzales        | R-TX-23  | Border validator; enforcement + visas      |
| Dan Newhouse         | R-WA-4   | Farm-workforce and employer cover          |
| Brian Fitzpatrick    | R-PA-1   | Former FBI; Problem Solvers credibility    |
| Juan Ciscomani       | R-AZ-6   | Border district; bipartisan workforce work |

### Tier 1 — House Democrats

| Target           | District | Strategic role                                                                    |
|------------------|----------|-----------------------------------------------------------------------------------|
| Veronica Escobar | D-TX-16  | Natural Democratic co-lead; DIGNIDAD partner                                      |
| Henry Cuellar    | D-TX-28  | Enforcement-friendly border Democrat; verify legal status before public elevation |

### Tier 1 — Senate

| Target        | Party/State | Strategic role                                  |
|---------------|-------------|-------------------------------------------------|
| Ruben Gallego | D-AZ        | Natural Democratic lead; border + legal channel |
| Mark Kelly    | D-AZ        | National-security validator                     |
| Chris Murphy  | D-CT        | 2024 border-deal negotiator                     |

| Target         | Party/State | Strategic role                         |
|----------------|-------------|----------------------------------------|
| Alex Padilla   | D-CA        | Immigration-subcommittee gatekeeper    |
| James Lankford | R-OK        | Natural GOP lead; 2024 deal negotiator |

## Secondary targets and early-cosponsor pool

| Target            | Party/District | Reason to engage                     |
|-------------------|----------------|--------------------------------------|
| David Valadao     | R-CA-22        | Farm workforce; DIGNIDAD             |
| Vicente Gonzalez  | D-TX-34        | Border-district moderate             |
| Gabe Vasquez      | D-NM-2         | Border workforce policy              |
| Zoe Lofgren       | D-CA-18        | Senior immigration-policy validator  |
| Susan Collins     | R-ME           | Moderate Senate dealmaker            |
| Thom Tillis       | R-NC           | Retiring; useful lame-duck validator |
| Mike Lawler       | R-NY-17        | DIGNIDAD early-cosponsor pool        |
| Don Bacon         | R-NE-2         | DIGNIDAD early-cosponsor pool        |
| Adriano Espaillat | D-NY-13        | DIGNIDAD; Hispanic Caucus reach      |

## Gatekeepers to brief before introduction

- Rep. Tom McClintock (R-CA), House immigration subcommittee chair: restrictionist leanings make early technical engagement essential. Treat him as a gatekeeper, not someone to bypass.
- Sen. Alex Padilla (D-CA), ranking member of the Senate Judiciary border and immigration subcommittee: engage on labor standards, due process, asylum safeguards, and court capacity.
- Sen. John Cornyn (R-TX), current Senate border-subcommittee chair: research indicates he is a lame duck serving through January 3, 2027; verify status and use the remaining term for technical review and Texas-border feedback.

## Coalition validators

| Validator                               | Value to coalition                                         |
|-----------------------------------------|------------------------------------------------------------|
| National Immigration Forum              | Center-right bridge; counters “amnesty” framing            |
| American Business Immigration Coalition | Employer demand and Republican-leaning business voices     |
| U.S. Chamber of Commerce                | National employer credibility for lawful workforce channel |
| Evangelical Immigration Table           | Conservative faith and values-based cover                  |

## Expected institutional opposition

| Organization                   | Likely attack                                           |
|--------------------------------|---------------------------------------------------------|
| FAIR                           | "Amnesty by another name"                               |
| NumbersUSA                     | "Undercuts U.S. wages"                                  |
| Center for Immigration Studies | "Legalization magnet; enforcement will not materialize" |

## Outreach sequence

1. Quietly circulate the discussion draft to one Republican and one Democrat in each chamber; ask for redlines, not endorsements.
2. Hold separate technical briefings on the asylum election, fees, military-service provision, labor standards, and Yellow Health. These are the highest-risk provisions.
3. Seek Department of Homeland Security, Department of Labor, Department of Justice, Department of Defense, and Department of Health and Human Services technical assistance before locking bill text.
4. Secure validators from business, faith, law enforcement, labor, immigration counsel, and trafficking-survivor organizations before public launch.
5. Ask legislative counsel for introduced-bill language, CBO for a score after sponsor request, and GAO for an evaluation framework.
6. Re-map every sponsor and committee target after the November 3, 2026 election; plan the full introduction push for the 120th Congress.

## Selected verification links

[DIGNIDAD Act, H.R. 4393 — cosponsors](#)

[Farm Workforce Modernization Act, H.R. 3227 — cosponsors](#)

[Conrad State 30 and Physician Access Reauthorization Act, S. 709](#)

[Bipartisan Border Solutions Act](#)

[Sen. Gallego border and economic-prosperity framework](#)

[Official Senate roster for Oklahoma](#)

## APPENDIX C

## Anticipated attacks & responses

### **“This is amnesty by another name.”**

The program does not grant permanent residence, voting rights, federal means-tested benefits, or a guaranteed path to citizenship. Applicants must apply from abroad, pass security and criminal checks, pay the full administrative cost, use E-Verify employers, comply with tax rules, and renew every three years. Status is revocable and the pilot sunsets after five years unless Congress votes to continue it. The only contemplated citizenship route is qualifying honorable military service, subject to Department of Defense accession needs and separate implementing law.

### **“It will undercut American wages.”**

The draft requires the greater of the applicable minimum wage, the occupational prevailing wage, or the wage paid to similarly situated U.S. workers. Work authorization is portable so a worker can leave an abusive employer. Recruitment fees are prohibited, retaliation triggers remedies and debarment, and the Department of Labor receives enforcement authority. Those safeguards are designed to remove the wage advantage of an exploitable off-the-books workforce.

### **“The asylum waiver is cruel or unlawful.”**

The Yellow Card is a voluntary economic-migration channel, not a replacement for asylum. The election must be knowing, translated, written, and revocable for 30 days before final approval. Officers must screen for coercion, trafficking, and facts suggesting a protection claim. The text expressly preserves withholding of removal, Convention Against Torture protection, and any right that cannot lawfully be waived. Legislative counsel must confirm the final scope before introduction.

### **“The enforcement promises will never happen.”**

The draft makes enforcement operational rather than rhetorical: overseas screening precedes travel; E-Verify is mandatory; status is conditioned on taxes and clean conduct; program metrics are published quarterly; HSI task forces target smuggling finances; and fee transfers are audited. A five-year sunset forces Congress to review GAO findings, a CBO score, and agency performance before the program can continue.

### **“Yellow Health is taxpayer-funded healthcare for undocumented immigrants.”**

Yellow Health is optional and limited to Yellow Card holders. Premiums and participant contributions must cover 100 percent of claims, administration, reserves, risk adjustment, and oversight. Federal appropriations, Medicaid, ACA premium tax credits, cost-sharing reductions, and other federal means-tested subsidies are prohibited. Accounts are segregated and audited, the United States does not guarantee losses, and the entire title is severable so it cannot sink the core bill.

## Message discipline

- Say “temporary, conditional worker status,” not “legalization.”
- Say “apply abroad and pass screening before travel,” not “come first and apply later.”
- Say “smuggling revenues,” not “cartel profits,” unless a source measures profit.
- Say “CBP enforcement encounters,” not “unique illegal crossings.”
- Say “estimated” or “projected” for modeled economic figures; never call them a CBO score.

- Lead with the paired deal: legal channel plus border integrity plus worker standards. Do not pitch individual provisions in isolation.

**FINAL CAUTION**

This document is a policy discussion draft, not introduced legislation and not legal advice. Final text requires congressional legislative counsel, constitutional and immigration-law review, agency technical assistance, a formal CBO estimate, and updated committee and sponsor verification.