

Utah Illegal Alien Family Transition Pilot Program
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Introduction: This is a summary of a working document developed by members of the Utah Coalition on Illegal Immigration (UCOII). It is being developed in response to a challenge issued by supporters of illegal aliens to come up with a national solution for dealing with the millions of individuals unlawfully in the United States. It is currently a working document and the final document may or may not be acceptable to all members of the UCOII.

1. **Consistent With the Utah Compact.** Although the Utah Compact never mentions illegal immigration, the pilot program is consistent with the Compact's assertion that immigration is a federal responsibility, its call for keeping families together, for respecting the rule of law while focusing on illegal aliens committing other than a civil violations of law and for ensuring that legal immigrants are integrated into Utah's economy and communities. It also provides a means for illegal aliens to square themselves with the law.
2. **Constitutional.** Congress must pass enabling legislation for the pilot in order for the Utah Illegal Alien Family Transition Pilot program to be implemented.
3. **A Limited, Pilot Program.** The pilot proposal is limited in scope and applies to qualified families with dual citizen, American born children at least five years old or with foreign born children who have arrived in the U.S. after age 8 and who have lived in the U.S. for at least five years and who were domiciled in Utah on January 1, 2011. This will make the program manageable and allow policy makers to determine its effectiveness. Once it has been operational for a period-of-time and evaluated, a decision can be made on next steps.
4. **Civil Violations.** The pilot authorizes qualified families who have committed nothing more than a civil violation by overstaying their visas to remain in the United States and to adjust status in the United States. It also eliminates the three and ten year visa exclusion for these families and requires 1,000 hours of community service with refugees or legal immigrants.
5. **Other than Civil Violations.** The pilot allows individuals who entered the United States illegally or individuals who overstayed their visas and then committed other violations of law including working illegally to get square with the law by ceasing to work illegally, paying fines that are commensurate with their illegal activities in the U.S., paying back taxes (payroll, income, etc.) and reimbursing taxpayer funded welfare benefits. It provides restitution for the millions of victims of illegal alien, employment-related identity theft and requires a qualified family to obtain an Illegal Alien Family Transition permit in order to effect an orderly transition within one year after receiving the permit to their home countries where they can subsequently apply for the appropriate visa. It also makes provisions for favorable consideration of a waiver to the three and ten year visa exclusion for families holding a permit. (Mitt Romney proposed a similar, but tougher plan while running for President in 2008. See <http://www.cis.org/mortensen/romney-huntsman>).
6. **Authentic Charity.** It encourages individuals, businesses and faith based organizations to sponsor families and providing full financial support for them as they transition from illegal status to legal status since they will not be authorized to work illegally during that time.
7. **Employer Accountability.** It imposes fines on the employers of illegal aliens and requires employers to pay unpaid payroll taxes, unemployment premiums and workers compensation premiums when these payments were not made for illegal alien employees.

8. **Fair.** This proposal is fair to the “forgotten immigrants” who play by the rules and wait their turns to legally enter the United States. It is fair to the victims of identity theft and other crimes committed by illegal aliens. It is fair to the taxpayers and it is fair to employers who hired a legal workforce. Finally, it is fair to illegal aliens who have committed civil violations as well as to those who have violated federal and state laws.
9. **Enforcement.** The pilot requires all state and local law enforcement agencies to enroll in the 287g immigration enforcement program and requires the federal government to facilitate enrollment and to offset training costs. This will encourage illegal aliens to obtain a transition permit.
10. **Ensures a Legal Workforce.** The pilot requires and facilitates the enrollment of all employers in the IMAGE program in order to ensure that they have a completely legal workforce. This also encourages illegal aliens to sign up for the transition permit. (An alternative would be to require all employers to enroll in E-Verify and run all current and future employees through E-Verify).
11. **Links to U.S. Development Programs.** The pilot program includes a program linked to U.S. government development assistance whereby foreign nationals can work in the United States in order to obtain skills directly related to assistance programs. They can then take those skills and any savings they may have been able to set aside back to their home countries in order to build up their own economies. American workers will not be displaced by this program.
12. **Links Employment Visas to Unemployment Rate.** The number of temporary employment visas available will be determined by the unemployment rate in the applicable sector of the economy. Holders of temporary work visas will be terminated prior to American citizens and permanent residents during a time of economic downturn.
13. **Three-Year Agriculture Visa.** A three-year agriculture visa similar to the H1B will be established to provide year around agriculture operations with foreign workers when American workers are not available.