

## ***Make the Deal: Border Security + DREAM***

**As the conference committee meets, BPC Action urges Congress and President Trump to consider the deal that has been apparent for over a year – pair border security funding with a permanent solution for the DREAMers.**

Since the President terminated the DACA program in 2017, the outlines of a deal that could address the priorities of both Democrats and Republicans and the President have been clear. BPC's Immigration Task Force put them out publicly in 2017 in its *Roadmap for a DACA Deal*: Permanent status for DREAMers paired with all major elements of increased border security.

Although this deal has been tried before, each time it has failed because additional provisions that proved to be poison pills were demanded that caused the deal to lose support. However, the bills that included both border security and permanent status for DREAMers actually garnered the most votes. Now is not the time to debate either/or. We must now fully consider a deal that includes both a permanent solution for DREAMers AND all major elements of border security funding. If the President and Republican and Democratic leadership were willing to put their support behind such a deal now, it most certainly could pass with large majorities in the House and the Senate.

**Now is the time to make this deal** – even in the short timeframe before the next shutdown looms. Why? Because it is when both sides have the most to gain, and the most to lose. For DREAMers, waiting until the courts decide the fate of DACA will only ensure that they become pawns in a larger negotiation that will most certainly include a bigger set of immigration issues, many of which are far harder to find compromise on, such as restricting family immigration or changing asylum rules.

On the other side, using presidential powers to declare a national emergency will just further erode the balance of powers, setting precedent for future administrations to take this critical issue out of the hands of Congress, while ensuring on going court battles and doing very little to increase security.

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### ***What's in the Deal?***

#### ***Border Security:***

- Improve infrastructure along the border, which could include physical barriers, steel slats, fencing, and any other construction materials that are deemed appropriate and cost effective, rebuild roads along the border, clear sightlines along the Rio Grande such as carrizo cane; upgrade and install physical barriers in appropriate sectors including pedestrian barriers in sectors with significant pedestrian crossings and vehicle barriers where there is a longer lead time to allow for border patrol to intercept crossers on foot. Boat ramps and access gates along waterways to improve riverine patrol and surveillance, upgrade forward operating bases in remote areas, including perimeter surveillance, generators, interview rooms, and adequate communications.
- Deploy region-specific technology to appropriate sectors of the southern border, including radars, acoustic detection and border tunneling technology, cameras additional unmanned aerial vehicles, sensor equipment and drones to improve situational awareness to detect and identify border incursions and deploy resources to intercept and interdict them.
- Improve port of entry security with additional cameras/surveillance of traffic/pedestrian areas, non-intrusive inspection technology improvements to detect concealed cargo, technologies for hand-held detection and data collection, expansion of secondary inspection facilities, and improved border crossing times.
- Increase CBP personnel at ports of entry, and increase training for Border Patrol and CBP officers, in particular with regard to vulnerable populations, fully staff offers and agents to currently authorized levels and once reached, increase numbers if evidence of increases at threats at the border support it; increase use of K-9 and horseback patrols, including K-9 teams at ports of entry; focus on recruitment and retention including retention bonuses after five years of service, promote entry level pay from GS-5 to GS-9, provide additional incentives to agents and officers stationed in more remote areas with limited services, housing and amenities for families; promote tactical flexibility by authorizing transfer of border agents based on operational necessity and consider additional non-agent FTEs or contract support for non-frontline positions such as operation centers or back office and additional headquarters positions that do not require law enforcement designation. Create a new position to strictly handle the processing and interviews of individuals apprehended at the border to allow for more hours on front-line duty for agents and officers.

### ***DREAMers & TPS:***

- **EXCLUSIVELY** deal with DREAMers and TPS Holders (as the two currently most vulnerable populations with the most support). This deal should not include any other groups or address any broader immigration issues at this time. This is not to

say that the other groups are not deserving, but that adding them will result in failure for this deal.

- Include not just those who currently have DACA, but a broader group who were brought to the United States as children. Updating the DACA requirements of date of arrival and eliminating the upper age requirement would address most of these individuals.
- TPS holders should at least include the largest group of TPS beneficiaries who have had status the longest and have been terminated by the administration: El Salvador, Honduras, and Haiti. These individuals have been in the country an average of over a decade, legally working and have built lives here, relying on the government's permission to stay.
- A final agreement should provide for immediate protection from deportation and a path to a green card after meeting conditions such as work, study or service. This is an absolute requirement—no more temporary fixes. These people deserve stability and certainty.
- After getting a green card, they should be allowed to apply for citizenship on the same terms and conditions as other green card holders.

### ***What NOT to Include:***

- Any efforts at enforcement beyond at the border: this includes increases in interior enforcement efforts not directly related to border security.
- Provisions aimed at deterring or reducing asylum applications.
- Reductions or changes to any other legal immigration programs, including changes to family-based immigration or diversity visas.
- Efforts to expand the population of those protected from removal as part of this deal.

Aside from the policy issues surrounding any, or all of these provisions, none of them have the level of broad-based support that the "deal" provisions do, and all of them, as has been demonstrated in the last years, have the potential to prevent a deal from enactment.

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**Passing this border + DREAM deal could help rebuild the trust among all parties necessary to move forward with additional or broader immigration reform discussions in the future. But we must start with a "win" all sides can claim.**