THE AMERICAN DREAM ACT OF 2027

REVISED LEGISLATIVE DISCUSSION DRAFT

November 11, 2026

Lawful residence and work authorization. Permanent statutory naturalization bars. Approved-country restrictions. Separate constitutional proposals for citizenship at birth and voting.

This package contains the revised full bill, two companion Article V joint-resolution drafts, and drafting notes. It is an independent proposal for discussion and has no legal effect. No application program is open.

The residence program can be considered as ordinary legislation. The two-citizen-parent birth rule and the broader lifetime voting bar are presented as constitutional amendments requiring their own proposal and ratification process.

Drafting assumptions

The initial residence period remains three years, followed by renewable five-year noncitizen residence. The ten-year residence cutoff and initial $2,000 assessment cap are retained. No additional eligible countries have been selected. Existing citizenship is protected, and the voting amendment exempts people already citizens at ratification. The definition of unlawful entry distinguishes an overstay after lawful admission.

Before introduction

Congressional legislative counsel must complete statutory cross-references and review constitutional objections, derivative-child provisions, nationality exclusions, retroactivity, parentage standards, and statelessness consequences. This package does not assert that a court would uphold every proposed restriction.

THE AMERICAN DREAM ACT OF 2027

American Dignity, Responsibility, Employment, Advancement, and Merit Act

LEGISLATIVE DISCUSSION DRAFT

A BILL

To strengthen border security; establish lawful residence and work authorization for certain screened long-term noncitizens; require tax compliance; restrict eligibility by an approved-country schedule; establish permanent statutory naturalization ineligibility; and for other purposes.

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

TITLE I. GENERAL PROVISIONS

SEC. 101. SHORT TITLE.

This Act may be cited as the "American DREAM Act of 2027." This version is a legislative discussion draft dated November 11, 2026.

SEC. 102. PURPOSES.

The purposes of this Act are to strengthen border security and public safety; create an earned program of lawful residence and work authorization for qualifying long-term residents; protect American workers; require tax compliance and individual screening; and limit program participation to nationals of specifically approved countries.

The program established by this Act shall not create a pathway to United States citizenship. This Act also proposes permanent statutory naturalization ineligibility for covered noncitizens as provided in Title VI.

Separate companion joint resolutions propose amendments to the Constitution concerning citizenship at birth and a permanent voting disqualification following unlawful entry. Those proposals are not made operative by enactment of this Act.

SEC. 103. DEFINITIONS.

(a) Covered individual means a noncitizen who satisfies Title III and the nationality requirements of Title XI.

(b) Provisional American Dream Status, or PADS, means the initial three-year lawful residence and employment classification established by this Act.

(c) American Dream Resident Status, or ADRS, means the renewable five-year noncitizen residence and employment classification established by Title V. ADRS is a distinct statutory status, not lawful admission for permanent residence under section 101(a)(20) of the Immigration and Nationality Act.

(d) Qualifying employment includes employment substantiated by reliable records, employer verification, sworn statements, or other permitted evidence. Prior lack of work authorization alone shall not invalidate otherwise reliable proof of work.

(e) Qualifying economic contribution includes employment, self-employment, business ownership, agricultural labor, unpaid family caregiving, qualifying educational enrollment, military service, or another contribution expressly recognized by regulation.

(f) Qualifying family member means a spouse or dependent child independently satisfying the applicable eligibility and nationality rules.

(g) Unlawful entry means a voluntary entry into the United States as a noncitizen without inspection and admission or parole, as established in an individual proceeding under Section 601. Lawful admission followed solely by an overstay is not unlawful entry for that section. Presenting at a port of entry to seek a lawful determination or humanitarian protection is not, by itself, unlawful entry. Entry as a United States citizen is not unlawful entry.

(h) Approved Country Schedule means the exhaustive, publicly available list of eligible nationalities adopted under Title XI. It does not refer to race, ethnicity, language, religion, or ancestry.

TITLE II. BORDER SECURITY AND PUBLIC SAFETY

SEC. 201. BORDER SECURITY MODERNIZATION.

The Secretary of Homeland Security shall implement a comprehensive border-management strategy that includes:

(a) Improvements in surveillance, technology, and infrastructure at high-priority border locations.

(b) Modernization of inspection and screening at lawful ports of entry.

(c) Expanded capabilities to identify human trafficking, narcotics smuggling, and transnational criminal organizations.

(d) Increased coordination among federal, state, local, and tribal law-enforcement authorities, consistent with applicable constitutional protections.

(e) Additional personnel, immigration adjudication resources, and technology to reduce backlogs while preserving lawful access to humanitarian protections.

SEC. 202. PRIORITIZATION OF SERIOUS CRIMINAL THREATS.

Subject to applicable law and individualized review, federal immigration enforcement shall prioritize noncitizens who:

Pose a substantiated national-security or terrorism threat;

Have convictions for specified serious violent offenses;

Have engaged in human trafficking or serious drug trafficking;

Are members of designated criminal organizations and present a demonstrated public-safety threat; or

Present another serious and articulable danger to public safety.

Mere unauthorized presence, without additional disqualifying conduct, shall not automatically render a covered individual ineligible for relief under this Act.

SEC. 203. ENFORCEMENT ACCOUNTABILITY.

The Department of Homeland Security shall establish:

(a) Written enforcement priorities and public reporting standards.

(b) Procedures to prevent erroneous detention or removal of United States citizens and individuals possessing valid immigration status.

(c) Mechanisms to verify identity, review contested eligibility, and correct administrative errors.

(d) Independent oversight of serious misconduct and systemic enforcement failures.

SEC. 204. FIXED ELIGIBILITY CUTOFF.

The benefits established under this Act shall apply only to individuals satisfying the residence requirements in Section 301.

No individual shall obtain eligibility solely by entering or remaining unlawfully in the United States after the date of enactment.

TITLE III. THE AMERICAN DREAM LEGALIZATION PROGRAM

SEC. 301. ELIGIBILITY FOR PROVISIONAL AMERICAN DREAM STATUS.

The Secretary of Homeland Security shall grant PADS to an applicant who establishes each of the following, subject to the procedures and limitations in this Act:

(a) Continuous physical residence in the United States for at least ten years immediately preceding enactment, subject to specified brief, casual, or emergency absences.

(b) Physical presence in the United States on the date of enactment.

(c) Sufficient documentation of identity, all current nationalities, and the required period of residence.

(d) Successful completion of biometric, criminal, national-security, identity, and immigration-history screening.

(e) Good moral character and no disqualifying offense or conduct.

(f) Qualifying employment or economic contribution, or an authorized exception.

(g) Compliance with applicable federal tax-filing requirements or an approved tax-compliance arrangement.

(h) Payment of applicable fees, subject to authorized waivers and installments.

(i) Eligibility under the Approved Country Schedule, including the exclusions in Section 1103.

(j) Admissibility under Section 1104, after application only of the specifically authorized program waivers.

(k) Written acknowledgment, in a language the applicant understands, that receipt of PADS creates permanent naturalization ineligibility under Section 601 and confers no voting entitlement. Acknowledgment shall not be treated as a waiver of judicial review or constitutional rights.

SEC. 302. CRIMINAL DISQUALIFICATIONS.

(a) Applicants convicted of specified offenses involving homicide, rape, sexual abuse of minors, human trafficking, terrorism, or serious violent criminal conduct shall be disqualified, subject to review of the actual statutory elements and disposition of the offense.

(b) Congress shall establish a defined schedule of other disqualifying offenses, including serious narcotics trafficking and qualifying repeat violent offenses.

(c) Minor traffic violations, civil infractions, and unauthorized presence alone shall not constitute automatic disqualifications.

(d) Applicants shall have an opportunity to contest inaccurate criminal records and obtain individualized review where authorized by law.

(e) An applicant shall not be denied solely on the basis of an arrest that did not result in a conviction, absent independently established disqualifying conduct under an expressly applicable statutory provision.

SEC. 303. GRANT OF PROVISIONAL LEGAL STATUS.

Upon approval, a covered individual shall receive PADS for three years and shall be authorized to reside and work in the United States during that period.

The Secretary shall issue secure proof of status and employment authorization, subject to identity verification and applicable renewal procedures.

Protection from removal shall extend only to the immigration violations expressly waived by this Act. Material fraud, disqualifying criminal conduct, national-security grounds, and other unwaived grounds remain enforceable under law.

The individual may apply for advance travel authorization. Travel shall remain subject to documented permission and applicable reentry rules.

PADS shall not confer citizenship, lawful permanent resident status, eligibility to naturalize, or voting rights. The applicable lifetime statutory naturalization bar is set out in Title VI.

SEC. 304. PROTECTION WHILE APPLICATIONS ARE PENDING.

(a) Applicants who submit complete, nonfrivolous applications and pass preliminary identity and security screening may receive temporary protection from removal while their applications are adjudicated.

(b) Such protection shall not apply where the Secretary establishes statutory disqualification or a substantiated serious public-safety or national-security threat.

(c) Work authorization may be granted while an application remains pending after preliminary eligibility review.

(d) Fraudulent applications may result in denial and penalties as provided by law.

SEC. 305. RENEWAL AND REVOCATION.

(a) An individual who submits a timely, complete application under Section 501 shall retain PADS and employment authorization while that application is pending, unless a disqualifying ground is established through the required procedure.

(b) Status may be revoked for material fraud, specified serious criminal conduct, national-security grounds, or substantial violations of the statute.

(c) Except for narrowly defined emergency temporary measures subject to prompt review, revocation requires notice, an opportunity to respond, and administrative review. Agency processing delay alone shall not terminate an otherwise compliant person's status.

(d) Citizenship ineligibility under Section 601 shall not expire upon revocation, nonrenewal, or termination of status.

TITLE IV. THE AMERICAN WORKER AND ENTREPRENEUR PROTECTION PROGRAM

SEC. 401. RECOGNITION OF LONG-TERM WORKERS.

The Secretary of Homeland Security shall establish procedures for verifying the economic contributions of qualifying workers, including individuals employed in:

Agriculture and food production;

Construction and skilled trades;

Hospitality, hotels, and restaurants;

Landscaping and property maintenance;

Manufacturing and logistics;

Health care and home support services;

Small businesses and other lawful industries.

No particular occupation shall independently guarantee approval or disqualify an otherwise eligible applicant.

SEC. 402. SMALL BUSINESS OWNERS AND ENTREPRENEURS.

Qualifying undocumented entrepreneurs may establish economic contribution through:

(a) Business formation or ownership records;

(b) Business or self-employment tax filings;

(c) Payroll, invoices, customer contracts, or financial records;

(d) Documentation of employee compensation and lawful business activity; or

(e) Other reliable evidence accepted by the Secretary.

An applicant shall not be required to abandon or sell an otherwise lawful business solely because of participation in this program.

SEC. 403. AMERICAN WORKER PROTECTIONS.

(a) Employers shall remain subject to applicable wage, workplace safety, antidiscrimination, and labor standards.

(b) The Secretary of Labor shall strengthen enforcement against wage theft, coercion, and exploitation of workers based on immigration status.

(c) Participation in this program shall not authorize employers to pay below legally applicable wages or disregard employment obligations.

(d) Federal agencies shall establish a transition process for verifying the employment eligibility of covered workers.

SEC. 404. EMPLOYER COMPLIANCE.

(a) A phased electronic employment-verification requirement shall apply to covered employers.

(b) The verification system shall include safeguards against identity theft, erroneous nonconfirmation, discrimination, and improper termination.

(c) Employers shall receive reasonable implementation periods, with additional technical assistance for qualifying small businesses.

TITLE V. RENEWABLE NONCITIZEN RESIDENCE

SEC. 501. ELIGIBILITY FOR AMERICAN DREAM RESIDENT STATUS.

After at least three years in PADS, an individual may apply for ADRS upon establishing continued qualifying residence, eligibility under Title XI, the absence of disqualifying criminal or security grounds, required tax compliance, qualifying contribution or an authorized exemption, and payment of applicable fees or a waiver.

The applicant shall complete required English and civic-orientation preparation, subject to age, disability, and hardship exceptions.

ADRS shall permit continued lawful residence and employment in renewable five-year periods. Renewal requires continued statutory eligibility, tax compliance, and screening. Agency delay protections in Section 305 apply to timely renewal applications.

ADRS shall not be treated as lawful admission for permanent residence for naturalization purposes, and time in either program classification shall create no right or eligibility to naturalize.

SEC. 502. CLASSIFICATION, EMPLOYMENT, AND STATUS LIMITATIONS.

(a) ADRS is a separate congressionally authorized noncitizen classification. Its issuance shall not use or reduce family-sponsored or employment-based immigrant visa numbers.

(b) The Secretary shall provide secure residence and work documents. Such documents shall identify the holder as a noncitizen and shall not be proof of voting eligibility.

(c) Holding PADS or ADRS shall not itself create eligibility to sponsor relatives under immigrant categories requiring citizenship or lawful permanent residence.

(d) Marriage, an employment petition, later admission or adjustment under another provision, military service, or time in the United States shall not remove the permanent naturalization bar in Section 601. That bar may be changed by a subsequent Act of Congress and remains subject to controlling constitutional law.

(e) This Act does not itself foreclose a separate immigration classification for which a person independently qualifies, but no such classification waives Section 601.

SEC. 503. PROCESSING WITHIN THE UNITED STATES AND LIMITED WAIVERS.

Eligible applicants may seek PADS or ADRS within the United States without departing solely for program processing.

Solely to adjudicate benefits under this Act, the Secretary may waive grounds based only on prior entry without inspection, previously unauthorized employment, or unlawful presence before enactment. Such a waiver does not erase the entry history for Title VI.

A prior removal order shall not be automatically vacated. The applicant must seek reopening, a stay, or other authorized relief through the appropriate procedure.

No program waiver shall excuse terrorism, espionage, persecution, torture, genocide, human trafficking, disqualifying serious violent crime, or material fraud in the program application. Other grounds of inadmissibility remain applicable unless expressly waived in this Act.

TITLE VI. PERMANENT NATURALIZATION BARS AND VOTING RULES

SEC. 601. PERMANENT STATUTORY NATURALIZATION INELIGIBILITY.

(a) Notwithstanding another statutory naturalization route, a noncitizen who receives PADS or ADRS shall thereafter be permanently ineligible for naturalization under the Immigration and Nationality Act. This rule applies to principal and derivative beneficiaries and survives expiration or termination of program status.

(b) A noncitizen determined in a final individual proceeding to have made an unlawful entry, as defined in Section 103(g), shall be permanently ineligible for naturalization even if the individual never participates in this program. The determination may concern entry before or after enactment, but shall not reopen the citizenship of a person who was already a United States citizen on the date of enactment.

(c) Before an unlawful-entry determination becomes final, the person shall receive notice, access to the evidence subject to lawful security protections, an opportunity to contest identity and entry history with counsel at the person's expense, a reasoned decision, administrative review, and access to judicial review as provided by law.

(d) Neither marriage, a later immigration status, time elapsed, nor an administrative waiver shall eliminate the bar. No officer may remove the bar by discretion alone. A later Act of Congress or controlling constitutional ruling may change its operation.

(e) This section does not itself revoke citizenship already possessed or prevent a person from establishing that citizenship existed independently of naturalization. Eligibility for or possession of a constitutionally protected citizenship right cannot be extinguished by an applicant's acknowledgment.

(f) This is a proposed substantive restriction. Its retroactive application to past entry, interaction with other nationality statutes, and constitutional validity require legislative-counsel analysis and remain subject to judicial review.

SEC. 602. VOTING RESTRICTIONS AND CONSTITUTIONAL LIMITS.

(a) PADS and ADRS confer no right to register or vote in any public election. Existing federal restrictions on noncitizen voting, including 18 U.S.C. 611 and its statutory exceptions, continue to apply.

(b) The policy of the accompanying voting amendment is permanent voting ineligibility following unlawful entry, including at the state and local levels. That broader restriction is proposed through the separate Article V joint resolution, not made effective by this section alone.

(c) Nothing in this Act directs election officials to cancel the registration of an existing citizen solely because of entry history, or purports to override state voting qualifications by executive action.

(d) Any enforcement under applicable election law shall require reliable identity matching, notice, an opportunity to correct errors, and the process required by law. Program records shall not be treated as conclusive proof that a person is not a citizen.

SEC. 603. CIVIC AND WORKFORCE ORIENTATION.

The Secretary, in coordination with educational institutions and community organizations, may provide English-language instruction, education about constitutional government and legal obligations, financial-literacy and tax-compliance instruction, and workforce and entrepreneurship education.

Such instruction shall explain that the program authorizes residence and work while maintaining noncitizen status. Participation shall not create a promise of citizenship or negate Title VI.

TITLE VII. AMERICAN FAMILY UNITY

SEC. 701. PROTECTION OF MIXED-STATUS FAMILIES.

The Secretary shall establish procedures to consider the effects of immigration enforcement and legalization decisions on:

(a) United States citizen children;

(b) Lawful permanent resident spouses;

(c) United States citizen spouses; and

(d) Other qualifying dependent family members.

Family unity shall be a relevant consideration in authorized discretionary determinations but shall not independently waive mandatory criminal or national-security disqualifications.

SEC. 702. SPOUSES AND DEPENDENT CHILDREN.

(a) A qualifying spouse or dependent child may apply for derivative PADS, subject to individual identity, security, admissibility, and nationality eligibility under Titles III and XI. A principal applicant's approval shall not automatically approve another person.

(b) Derivative beneficiaries shall receive clear disclosure of the permanent naturalization bar before approval. For a minor, notice shall be provided to the minor and a lawful representative using age-appropriate language; constitutional claims and judicial review are preserved.

(c) The Secretary shall provide independent procedures for qualifying survivors of domestic violence, trafficking, or abandonment who cannot safely depend upon a principal applicant. Those procedures do not waive the statutory country exclusions or create citizenship eligibility under this program.

SEC. 703. CHILDREN AND INDEPENDENT CITIZENSHIP CLAIMS.

Qualifying individuals brought to the United States as children may use a streamlined evidence procedure and appropriate educational or service-based alternatives, while satisfying the applicable nationality and screening rules.

A child's citizenship or immigration history shall not be presumed from a parent's status. A parent's unlawful-entry determination shall not automatically establish unlawful entry by the child.

Receipt of derivative status remains subject to Section 601(a). A child who already holds citizenship shall not be placed in a noncitizen program classification. The separate proposed citizenship-at-birth amendment applies only if ratified and only to births on or after its specified effective date.

TITLE VIII. TAX COMPLIANCE AND PROGRAM FINANCING

SEC. 801. REQUIRED TAX COMPLIANCE.

Applicants shall establish compliance with federal tax-filing requirements for applicable years or enter into legally enforceable arrangements to resolve outstanding obligations.

Applicants shall not be required to pay taxes that are not otherwise legally owed.

SEC. 802. PROGRAM FEES.

The maximum initial special program assessment for a principal adult applicant shall be $2,000, allocated as follows:

(a) Initial application and identity processing, $500.

(b) Provisional-status administration, $500.

(c) Transition to ADRS, $1,000.

Taxes independently owed are separate. The Secretary may establish cost-based ADRS renewal fees by published regulation, subject to Section 803. No payment purchases citizenship or voting eligibility.

SEC. 803. INSTALLMENTS AND HARDSHIP PROTECTION.

The Secretary shall establish installment-payment arrangements and needs-based reductions or waivers for eligible applicants.

Inability to pay the entire program assessment immediately shall not independently preclude otherwise eligible individuals from submitting an application.

SEC. 804. AMERICAN DREAM IMMIGRATION ADMINISTRATION FUND.

There is established in the Treasury a dedicated account to receive program assessments, subject to applicable appropriations law.

Amounts made available from this account may support:

(a) Application processing;

(b) Fraud detection and identity verification;

(c) Immigration court and adjudication capacity;

(d) Cybersecurity and data protection; and

(e) Authorized border-security and implementation expenses.

No claim of budget neutrality shall be made unless supported by an official cost estimate.

TITLE IX. FRAUD PREVENTION, CIVIL RIGHTS, AND DUE PROCESS

SEC. 901. FRAUD PREVENTION.

The Secretary shall implement identity-verification measures and procedures to detect material misrepresentations, fabricated employment records, and organized immigration-benefit fraud.

SEC. 902. DUE PROCESS.

(a) An applicant denied benefits shall receive written notice identifying the grounds for denial, subject to lawful restrictions governing protected information.

(b) Eligible applicants shall have access to an administrative review procedure.

(c) A material error in government records shall be subject to correction.

SEC. 903. CONFIDENTIALITY.

Information provided by an applicant shall be used primarily to administer and enforce this Act.

Congress shall specify limited exceptions relating to serious criminal conduct, national security, and deliberate fraud.

SEC. 904. EQUAL PROTECTION AND SPECIFIC NATIONALITY RULES.

Implementation shall comply with the Constitution and applicable civil-rights law. Race, ethnicity, religion, language, and ancestry shall not be substituted for proof of nationality or individual conduct.

The specific nationality classifications and exclusions in Title XI govern eligibility for this program notwithstanding a conflicting statutory program-eligibility rule, to the extent Congress has constitutional authority to enact that exception.

Title XI creates an exception limited to this program. It does not generally repeal the immigrant-visa nondiscrimination provision in section 202(a)(1)(A) of the Immigration and Nationality Act or change unrelated visas. Legislative counsel shall reconcile cross-references before introduction. Constitutional review remains available.

TITLE X. IMPLEMENTATION AND CONGRESSIONAL OVERSIGHT

SEC. 1001. IMPLEMENTATION TIMELINE.

(a) Initial implementation regulations and the initial Approved Country Schedule shall be issued within 180 days after enactment, following the procedures in this Act.

(b) The initial application period shall open within 240 days after enactment and remain open for at least 24 months, subject to a controlling court order. No application may be approved until the required Approved Country Schedule is effective.

(c) Timely applications delayed by the government shall receive the continuity protections specifically authorized by Sections 304 and 305.

(d) Ratification of either companion constitutional amendment is not a prerequisite for operating the residence-and-work program. Provisions requiring constitutional ratification have no operative effect before their separate ratification and effective date.

SEC. 1002. ANNUAL REPORT TO CONGRESS.

The Secretary shall annually report applications, approvals, denials, residence renewals, processing times, criminal and national-security disqualifications, country classifications and review decisions, fraud findings, administrative errors and corrections, revenues and expenditures, labor-compliance indicators, and recommendations for administrative improvement.

Reporting shall protect personal information and distinguish statutory residence benefits from unratified constitutional proposals.

SEC. 1003. INDEPENDENT EVALUATION.

The Government Accountability Office shall conduct periodic evaluations of program performance, including impacts on administrative efficiency, labor markets, public safety, and fiscal operations.

SEC. 1004. SEVERABILITY.

If any provision of this Act or its application is held invalid, the remainder of the Act and its application to other persons or circumstances shall not be affected, unless the court determines that the affected provisions are inseverable.

SEC. 1005. EFFECTIVE DATE.

Except as otherwise specified, this Act shall take effect 180 days after enactment.

TITLE XI. APPROVED COUNTRIES AND INDIVIDUAL ADMISSIBILITY

SEC. 1101. EXHAUSTIVE APPROVED COUNTRY SCHEDULE.

Only a national whose nationality appears on the effective Approved Country Schedule may receive or renew program status, subject to the transition rule in Section 1105. The Secretary of State, in consultation with the Secretary of Homeland Security, shall publish an exhaustive list by country name through notice-and-comment rulemaking.

No country is approved by this discussion draft merely because it is a United States ally. Schedule A shall be populated through that published determination before approvals begin. No unspecified nationality qualifies by default.

SEC. 1102. COUNTRY DESIGNATION CRITERIA.

Approval requires written findings that the foreign government cooperates reliably in identity verification, criminal and security information sharing, and the return of its nationals when lawfully required; is not engaged in armed hostilities against the United States; does not materially support terrorism against the United States; and meets published standards concerning the rule of law, constitutional government, basic civil liberties, and protection against political violence.

These are findings about governmental relations and verifiable administrative cooperation. No official may use a person's race, religion, ethnicity, language, or political affiliation as a proxy for eligibility. Favorable country designation does not establish an individual's admissibility.

Findings, supporting nonclassified reasons, and the list's effective date shall be published. Classified support shall be made available to the appropriate congressional committees and courts as permitted by law.

SEC. 1103. EXPRESS PROGRAM EXCLUSIONS.

Nationals of the People's Republic of China, Somalia, and Haiti are ineligible for PADS or ADRS under this Act, including by derivative application. The Secretary may not waive these exclusions; removal of an exclusion requires an Act of Congress.

A person holding a current nationality of an excluded country remains excluded even if the person also holds another nationality. Nationality must be established under applicable law through individual evidence; birth, appearance, surname, ethnicity, or ancestry alone is not conclusive.

The People's Republic of China designation does not refer to Chinese ethnicity and does not independently designate Taiwan as an excluded country. Stateless applicants do not qualify under the nationality schedule unless Congress expressly authorizes a separate eligibility rule.

These exclusions concern this proposed program. They do not themselves order removal or decide an application under a separate humanitarian or immigration law.

SEC. 1104. INDIVIDUAL ACCEPTANCE CRITERIA.

Each principal and derivative applicant must establish identity and nationality through reliable evidence, complete biometrics and an interview unless an individualized documented interview waiver is authorized, disclose prior immigration history, and satisfy criminal, terrorism, espionage, public-health, and other applicable admissibility standards under section 212(a) of the Immigration and Nationality Act.

Only the limited waivers expressly authorized in Section 503 and other express provisions of this Act are available. The Secretary shall publish evidence standards, permissible alternatives where authentic records are unavailable, and reasons for denial. A nationality designation alone shall not establish criminality or dangerousness.

SEC. 1105. REVIEW, CHANGES, AND EXISTING HOLDERS.

The Approved Country Schedule shall be reviewed at least annually using the published criteria. Additions or removals require a reasoned public decision and a prospective effective date, subject to emergency temporary suspension for a documented national-security need.

Removal of a country from the schedule shall not automatically revoke an existing, unexpired individual grant. The Secretary shall provide notice and an orderly transition and may deny renewal when nationality eligibility is no longer met, subject to individual review. Independently established criminal, security, or fraud grounds remain enforceable.

A person may contest mistaken nationality, identity, or eligibility findings through administrative review and judicial review under applicable law. A reviewing officer cannot substitute personal discretion for a statutory country exclusion.

SEC. 1106. LIMITED EFFECT AND CONSTITUTIONAL REVIEW.

Nationality limitations apply to this new residence-and-work program and its derivatives. Existing citizenship, valid unrelated immigration classifications, and separately applicable asylum, withholding-of-removal, or protection-against-torture obligations are not terminated by a country designation under this title.

Nothing in this Act conclusively establishes that nationality exclusions applied to long-term residents satisfy constitutional requirements. Congress must assess statutory conflicts, equal-protection and due-process objections, and the justification for each exclusion before enactment; courts retain their constitutional review authority.

END OF REVISED LEGISLATIVE DISCUSSION DRAFT

Companion A. Citizenship at birth

PROPOSED CONSTITUTIONAL AMENDMENT - SEPARATE JOINT RESOLUTION

Proposed Article V joint resolution. The two-citizen-parent requirement below would amend the constitutional rule. It is not made effective by the ordinary bill.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of each House concurring, that the following article is proposed as an amendment to the Constitution of the United States and shall become valid when ratified by the legislatures of three-fourths of the several States:

Section 1. Prospective citizenship at birth.

Notwithstanding the first sentence of section 1 of the Fourteenth Amendment, a person born in the United States on or after the effective date of this article shall be a citizen of the United States at birth only if both of the person's parents were citizens of the United States at the time of the person's birth.

Section 2. Parentage and administration.

Congress shall provide uniform rules for proving parentage and parental citizenship, including rules for assisted reproduction, adoption, deceased parents, and disputed or unavailable records. Those rules shall not dispense with the requirement that both parents be citizens at the time of birth. An absence of records alone shall not substitute for an individual determination after notice and an opportunity for review.

Section 3. Existing citizenship and later naturalization.

This article shall not revoke citizenship acquired before its effective date. It governs citizenship at birth within the United States; subsequent naturalization remains subject to the Constitution and laws enacted by Congress. A child's lack of citizenship at birth shall not itself authorize detention or removal without the process required by applicable law.

Section 4. Enforcement and effective date.

Congress shall have power to enforce this article by appropriate legislation. Sections 1 through 3 shall take effect 180 days after ratification. No executive officer may implement the two-parent rule before that effective date.

Companion B. Permanent voting bar after unlawful entry

PROPOSED CONSTITUTIONAL AMENDMENT - SEPARATE JOINT RESOLUTION

Proposed Article V joint resolution. It would reach federal, state, territorial, and local public elections and cannot be presented as effective law before ratification.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of each House concurring, that the following article is proposed as an amendment to the Constitution of the United States and shall become valid when ratified by the legislatures of three-fourths of the several States:

Section 1. Permanent disqualification.

A person who voluntarily entered the United States as a noncitizen without inspection and admission or parole, whether before or after ratification of this article, shall be permanently ineligible to vote in a federal, state, territorial, or local public election after a final determination under Section 2. Later residence, a change in immigration classification, naturalization, or another later acquisition of citizenship shall not remove that disqualification.

Section 2. Individual adjudication.

The United States shall establish unlawful entry by clear and convincing evidence in an individual proceeding before a neutral decision maker. The person shall receive notice, an opportunity to obtain counsel at the person's expense, meaningful access to the evidence subject to lawful security protections, an opportunity to contest the charge, a reasoned decision, and judicial review. Disqualification shall not become final while timely review is pending. An agency list or inference from ethnicity, ancestry, language, religion, or another person's conduct shall not establish unlawful entry.

Section 3. Scope and existing citizens.

For this article, an overstay following lawful admission, entry as a United States citizen, or presentation at a port of entry to seek a lawful determination is not unlawful entry. A parent's conduct shall not automatically be attributed to a child. This article shall not disqualify a person who already held United States citizenship on the date of ratification.

Section 4. Enforcement and effective date.

Congress shall have power to enforce this article by appropriate legislation and shall provide uniform procedures for correcting erroneous voting records. This article shall take effect 180 days after ratification. No voting disqualification created solely by this article shall operate before that date.

Drafting notes and legal sources

Residence and work

PADS would last three years, followed by renewable five-year American Dream Resident Status. This is a separate noncitizen classification and does not confer a green card or a citizenship pathway.

Permanent naturalization bar

The bill would bar naturalization for program beneficiaries, including derivatives, and for noncitizens with a final unlawful-entry determination. Marriage, later status, or time alone would not remove the proposed bar. Retroactivity and constitutional validity require legal review.

Meaning of unlawful entry

The draft uses an individual finding of voluntary entry without inspection, admission, or parole. An overstay after lawful admission is a different category. The bar is not inherited from a parent.

Countries

The draft expressly excludes current nationals of the People's Republic of China, Somalia, and Haiti. Dual nationality does not bypass an exclusion. Eligibility for all other nationalities depends on an exhaustive published schedule that has not yet been selected.

Existing rights

The draft does not revoke citizenship already held at enactment. Companion A applies only to future births after ratification and its effective date. Companion B preserves voting eligibility for people already citizens when it is ratified.

Constitutional process

Each companion resolution requires an Article V process. The proposed congressional route requires two-thirds of each chamber and ratification by three-fourths of state legislatures. A presidential signature on the ordinary bill would not accomplish either constitutional change.

Review before introduction

This remains an independent discussion draft. Legislative counsel must resolve nationality-law conflicts, treatment of derivative children, parentage and statelessness consequences, evidentiary standards, and constitutional objections. No government has approved this proposal.

Authorities reviewed

The Fourteenth Amendment
https://www.archives.gov/founding-docs/amendments-11-27

Article V amendment procedure
https://www.archives.gov/founding-docs/constitution-transcript

Afroyim v. Rusk, 387 U.S. 253 (1967)
https://tile.loc.gov/storage-services/service/ll/usrep/usrep387/usrep387253/usrep387253.pdf

Federal restrictions on noncitizen voting, 18 U.S.C. 611
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