



FEDERATION FOR AMERICAN IMMIGRATION REFORM

S. 744 Title II—Senate Judiciary Committee Markup

May 20, 2013 and May 21, 2013

1. Prevents individuals authorized to work in the U.S. from being denied professional, commercial, or business licenses on the basis of immigration status.
 - a. Sponsor: Sen. Chris Coons (D-DE) ([Amdt. #10](#)) ([Coons 2nd Degree](#))
 - b. Adopted via voice vote
2. Strikes the provisions making aliens apprehended before or during the application period or the waiver of aliens previously deported eligible for RPI status.
 - a. Sponsor: Sen. Chuck Grassley (R-IA) ([Amdt. #11](#))
 - b. Denied 6-12
3. Permits RPIs who have honorably served in the Armed Services for one year to become naturalized U.S. citizens.
 - a. Sponsor: Sen. Richard Blumenthal ([Amdt. #12](#))
 - b. Adopted via voice vote
4. Requires additional security screening for aliens seeking RPI status that were citizens or long-term residents of a region or country known to pose a threat, or contain groups that pose a threat, to national security.
 - a. Sponsor: Sen. Lindsey Graham (R-SC) ([Amdt. #3](#)) ([Graham 2nd Degree](#))
 - b. Adopted via voice vote
5. Makes RPIs who illegally entered the U.S. before the age of 16 and illegal aliens granted blue card status eligible for federal student loans and work-study programs.
 - a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #21](#)) ([Hirono 2nd Degree](#))
 - b. Adopted via voice vote
6. Requires RPI applications to be filed electronically and requires in-person interviews for certain RPI applicants. Adds penalties for knowingly committing or aiding fraud.
 - a. Sponsor: Sen. Jeff Sessions (R-AL) ([Amdt. #16](#))
 - b. Denied 6-12
7. Makes amnestied children and pregnant women eligible for Medicaid, SCHIP, and SNAP nutrition assistance.
 - a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #16](#))
 - b. Withdrawn
8. Makes RPIs eligible to adjust to LPR status after 10 years automatically eligible for federal means-tested public benefits.
 - a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #17](#))
 - b. Withdrawn

9. Makes serious criminals, including domestic abusers, child abusers, and drunk drivers ineligible for RPI status.
 - a. Sponsor: Sen. John Cornyn (R-TX) ([Amdt. #3](#)) ([Cornyn 2nd Degree](#))
 - b. Denied 8-10
10. Permits the RPI application fee to be paid in installments.
 - a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #12](#))
 - b. Adopted via voice vote
11. Requires RPI applicants to disclose all Social Security numbers used to illegally obtain employment.
 - a. Sponsor: Sen. Chuck Grassley (R-IA) ([Amdt. #18](#))
 - b. Denied 8-10
12. Revises the physical presence cutoff date to qualify for RPI status from December 31, 2011 to April 17, 2013.
 - a. Sponsor: Sen. Richard Blumenthal (D-CT) ([Amdt. #15](#))
 - b. Withdrawn
13. Amends the tax code to limit eligibility for the child tax credit to individuals with a valid taxpayer identification number.
 - a. Sponsor: Sen. Jeff Sessions (R-AL) ([Amdt. #30](#))
 - b. Denied 8-10
14. Requires the Secretary of DHS to confidentially collect information about the country of origin and the nature of illegal entry from RPI applicants to help understand illegal immigration trends.
 - a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #20](#)) ([Hirono 2nd Degree](#))
 - b. Adopted via voice vote
15. Adds a new judicial review section requiring challenges of denial or revocation of RPI amnesty, blue card ag amnesty, or adjustment of amnestied aliens to an LPR, to be filed in the U.S. District Court for the District of Columbia. The challenges, however, are limited to determinations of whether these sections—or any regulations promulgated pursuant to them—are constitutional, thus eliminating the judicial review section of the bill that allows illegal aliens to sue for amnesty.
 - a. Sponsor: Sen. Chuck Grassley (R-IA) ([Amdt. #17](#))
 - b. Denied 6-12
16. Expands the scope of the grant program to assist amnesty applicants to include applicants for blue card status. Expands dual intent nonimmigrant visas to include visas in subparagraph (E), (F)(i), (F)(ii), (O), (P), and (W) of section 101(a)(15). Eliminates the dual intent for aliens receiving U.S. graduate medical education or training under section 212(j).
 - a. Sponsor: Sen. Dianne Feinstein (D-CA) ([Amdt. #13](#)) ([Feinstein 2nd Degree](#))
 - b. Adopted via voice vote
17. Grants victims of crimes committed by a previously deported illegal alien the right to notice and consultation with DHS regarding their readmission to the U.S. under the waiver

authority authorized in this Act. The Secretary and the Attorney General cannot make adverse immigration-related decisions against victims who come forward under this provision. The Secretary must report each year to the Senate and House Judiciary committees the number of criminal aliens granted a waiver and the number of victims notified.

- a. Sponsor: Sen. John Cornyn (R-TX) ([Amdt. #4](#)) ([Cornyn 2nd Degree](#))
 - b. Adopted via voice vote
18. Allows law enforcement the ability to access national security and public safety information contained in amnesty applications. Authorizes the Secretary of State to share limited information with foreign governments. Contains protections for legitimate privacy interests of the applicants.
 - a. Sponsor: Sen. John Cornyn (R-TX) ([Amdt. #5](#))
 - b. Denied 9-9
19. Requires illegal aliens to pay all back taxes, fines, and penalties before being eligible for RPI status.
 - a. Sponsor: Sen. Mike Lee (R-UT) ([Amdt. #10](#))
 - b. Denied via voice vote
20. Prohibits absconders and individuals attempting to reenter after receiving a deportation order from qualifying for RPI status.
 - a. Sponsor: Sen. Mike Lee (R-UT) ([Amdt. #8](#))
 - b. Denied via voice vote
21. Strikes the provision permitting sworn affidavits or other unspecified documents to verify the employment or education of RPIs applying to adjust to LPR status.
 - a. Sponsor: Sen. Mike Lee (R-UT) ([Amdt. #12](#))
 - b. Denied via voice vote
22. Prohibits illegal aliens from obtaining U.S. citizenship, except for aliens granted asylum.
 - a. Sponsor: Sen. Ted Cruz (R-TX) ([Amdt. #3](#)) ([Cruz 2nd Degree](#))
 - b. Denied 5-13
23. Prohibits aliens from receiving Federal, State, or local means-tested benefits while not in lawful status.
 - a. Sponsor: Sen. Ted Cruz (R-TX) ([Amdt. #2](#))
 - b. Failed 6-12
24. Requires the Secretary of Health and Human Services to conduct regular audits to ensure that RPIs are not receiving Federal means-tested public benefits. Grants DHS Secretary discretionary authority to revoke RPI status for a conviction of fraudulently claiming or receiving Federal means-tested benefits.
 - a. Sponsor: Sen. Jeff Flake (R-AZ) ([Amdt. #4](#))
 - b. Adopted via voice vote

25. Strikes the requirement that amnestied illegal aliens in blue card status undergo renewed background checks before the Secretary extends their status.
 - a. Sponsor: Sen. Jeff Flake (R-AZ) ([Amdt. #3](#)) ([Flake 2nd Degree](#)) ([Schumer 2nd Degree](#))
 - b. Adopted via voice vote
26. Adds aliens who are current or potential employees of certain Federal national security facilities to the EB-2 visa classification. Establishes procedures for the admission and naturalization of such aliens.
 - a. Sponsor: Sen. Sheldon Whitehouse (D-RI) ([Amdt. #4](#))
 - b. Adopted via voice vote
27. Requires the DHS Secretary to annually adjust for inflation all fees and penalties imposed for immigrant visas.
 - a. Sponsor: Sen. Chuck Grassley (R-IA) ([Amdt. #16](#))
 - b. Denied via voice vote
28. Permits abused immigrants to receive certain public and assisted housing.
 - a. Sponsor: Sen. Al Franken (D-MN) ([Amdt. #9](#))
 - b. Adopted via voice vote
29. Limits the number of green cards issued during the 10 years after enactment to 20 million. Requires the DHS Secretary to issue employment authorization documents to all nonimmigrants authorized to work. Limits the number of employment authorization documents to 1 million per year for the 10 years after enactment and not more than 10 million total over that time period.
 - a. Sponsor: Sen. Jeff Sessions (R-AL) ([Amdt. #2](#))
 - b. Withdrawn
30. Grants special immigrant status to spouses and children of employees of the U.S. Government abroad killed in the line of duty who served at least 15 years.
 - a. Sponsor: Sen. Chris Coons (D-DE) ([Amdt. #3](#))
 - b. Adopted via voice vote
31. Makes communities adversely affected by a recommendation of the Defense Base Closure and Realignment Commission as targeted employment areas for employment creation visa allocation.
 - a. Sponsor: Sen. John Cornyn (R-TX) ([Amdt. #8](#)) ([Cornyn 2nd Degree](#))
 - b. Adopted via voice vote
32. Exempts children of certain Filipino World War II veterans from the immigrant visa cap.
 - a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #1](#))
 - b. Adopted via voice vote
33. Revises the INA relating to the green card caps. Establishes a 337,500 family-based green card cap per year. Establishes a 1,012,500 employment-based green card cap per year and

607,500 must go to highly-skilled workers, with a preference given to individuals with advanced STEM degrees.

- a. Sponsor: Sen. Ted Cruz (R-TX) ([Amdt. #4](#))
 - b. Denied 6-12
34. Permits the DHS Secretary to notify the employer and employee of a nonconfirmation or further action notice by electronic communication, mail, text message, telephone, or other direct communication. Requires the Secretary to establish procedures to notify the employer and employee of a confirmation.
- a. Sponsor: Sen. Chris Coons (D-DE) ([Amdt. #9](#)) ([Coons 2nd Degree](#))
 - b. Adopted via voice vote
35. Creates a benefits integrity program requiring the DHS Secretary in coordination with the U.S. Citizenship and Immigration Services Fraud Detection and National Security Directorate to identify fraud in benefits programs and yearly report to Congress on those findings.
- a. Sponsor: Sen. Chuck Grassley (R-IA) ([Amdt. #19](#) as modified)
 - b. Adopted via voice vote
36. Allocates six percent of family-sponsored immigrant visas to siblings and children of U.S. citizens whose separation causes extreme hardship.
- a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #10](#))
 - b. Denied 7-11
37. Makes the authority of the Secretaries of DHS and State to refuse or revoke visas unreviewable by any court.
- a. Sponsor: Sen. Jeff Sessions (R-AL) ([Amdt. #15](#))
 - b. Denied via voice vote
38. Requires the Comptroller General to conduct a study of the merit-based immigration system established by section 2301.
- a. Sponsor: Sen. Mazie Hirono (D-HI) ([Amdt. #11](#))
 - b. Adopted via voice vote
39. Grants doctors whose Conrad J-1 waiver is denied because the State reached its maximum number of waivers an automatic six month extension if the doctor agrees to work for an employer in a State that has not reached the maximum waiver allocation.
- a. Sponsor: Sen. Amy Klobuchar (D-MN) ([Amdt. #5](#)) ([Klobuchar 2nd Degree](#))
 - b. Adopted via voice vote
40. Allows same-sex couples to sponsor their partners for green cards.
- a. Sponsor: Sen. Pat Leahy (D-VT) ([Amdt. #7](#))
 - b. Withdrawn