

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To provide a substitute.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

**S. 744**

To provide for comprehensive immigration reform and for other purposes.

Referred to the Committee on \_\_\_\_\_ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. SCHUMER to the amendment (No. 13) proposed by Mr. SESSIONS

Viz:

1 In lieu of the matter proposed to be added, add the  
2 following:

3 **SEC. 4409. PROVIDING CONSULAR OFFICERS WITH ACCESS**  
4 **TO ALL TERRORIST DATABASES AND REQUIR-**  
5 **ING HEIGHTENED SCRUTINY OF APPLICA-**  
6 **TIONS FOR ADMISSION FROM PERSONS LIST-**  
7 **ED ON TERRORIST DATABASES.**

8 Section 222 (8 U.S.C. 1202) is amended by adding  
9 at the end the following new subsection:

10 “(i) PROVIDING CONSULAR OFFICERS WITH ACCESS  
11 TO ALL TERRORIST DATABASES AND REQUIRING  
12 HEIGHTENED SCRUTINY OF APPLICATIONS FOR ADMIS-

1 SION FROM PERSONS LISTED ON TERRORIST DATA-  
2 BASES.—

3 “(1) ACCESS TO THE SECRETARY OF STATE.—

4 “(A) IN GENERAL.—Except as provided in  
5 subparagraph (B), the Secretary of State shall  
6 have access to all terrorism records and data-  
7 bases maintained by any agency or department  
8 of the United States for the purposes of deter-  
9 mining whether an applicant for admission  
10 poses a security threat to the United States.

11 “(B) EXCEPTION.—The head of such an  
12 agency or department may only withhold access  
13 to terrorism records and databases from the  
14 Secretary of State if such head is able to articu-  
15 late that withholding is necessary to prevent the  
16 unauthorized disclosure of information that  
17 clearly identifies, or would reasonably permit  
18 ready identification of, intelligence or sensitive  
19 law enforcement sources, methods, or activities.

20 “(2) BIOGRAPHIC AND BIOMETRIC SCREEN-  
21 ING.—

22 “(A) REQUIREMENT FOR BIOGRAPHIC AND  
23 BIOMETRIC SCREENING.—Notwithstanding any  
24 other provision of this Act, the Secretary of  
25 State shall require every alien applying for ad-

1 mission to the United States to submit to bio-  
2 graphic and biometric screening to determine  
3 whether the alien’s name or biometric informa-  
4 tion is listed in any terrorist watch list or data-  
5 base maintained by any agency or department  
6 of the United States.

7 “(B) EXCLUSIONS.—No alien applying for  
8 a visa to the United States shall be granted  
9 such visa by a consular officer if the alien’s  
10 name or biometric information is listed in any  
11 terrorist watch list or database referred to in  
12 subparagraph (A) unless—

13 “(i) screening of the alien’s visa appli-  
14 cation against interagency counterter-  
15 rorism screening systems which compare  
16 the applicant’s information against data in  
17 all counterterrorism watch lists and data-  
18 bases reveals no potentially pertinent links  
19 to terrorism;

20 “(ii) the consular officer submits the  
21 application for further review to the Sec-  
22 retary of State and the heads of other rel-  
23 evant agencies, including the Secretary of  
24 Homeland Security; and

1                   “(iii) the Secretary of State, after  
2                   consultation with the Secretary of Home-  
3                   land Security and the heads of other rel-  
4                   evant agencies, certifies that the alien is  
5                   admissible to the United States.”.

6 **SEC. 4410. VISA REVOCATION INFORMATION.**

7           Section 428 of the Homeland Security Act of 2002  
8 (6 U.S.C. 236) is amended by adding at the end the fol-  
9 lowing:

10           “(j) VISA REVOCATION INFORMATION.—If the Sec-  
11 retary of State or the Secretary of Homeland Security re-  
12 voke a visa—

13                   “(1) the fact of the revocation shall be imme-  
14 diately provided to the relevant consular officers, law  
15 enforcement, and terrorist screening databases; and

16                   “(2) a notice of such revocation shall be posted  
17 to all Department of Homeland Security port inspec-  
18 tors and to all consular officers.”.