

AMENDMENT NO. _____ Calendar No. _____

Purpose: To restore the family-sponsored immigrant categories for older married sons and daughters of United States citizens and siblings of United States citizens 10 years after the date of the enactment of this Act.

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

AMENDMENTS intended to be proposed by Ms. HIRONO (for herself and Mr. FRANKEN)

Viz:

1 On page 271, strike lines 10 through 18, and insert
2 the following:

3 (b) MODIFICATION OF POINTS.—

4 (1) PROPOSAL.—The Secretary may submit to
5 Congress a proposal to modify the number of points
6 allocated under of section 203(c) of the Immigration
7 and Nationality Act (8 U.S.C. 1153(c)), as amended
8 by subsection (a).

1 (2) ELIMINATION OF FAMILY-BASED POINTS.—

2 Section 203(c) (8 U.S.C. 1153(c)), as amended by
3 subsection (a), is further amended—

4 (A) in paragraph (4)—

5 (i) by striking subparagraph (H); and

6 (ii) by redesignating subparagraphs

7 (I) and (J) as subparagraph (H) and (I),
8 respectively; and

9 (B) in paragraph (5)—

10 (i) by striking subparagraph (G); and

11 (ii) by redesignating subparagraphs

12 (H) and (I) as subparagraphs (G) and
13 (H), respectively.

14 (c) EFFECTIVE DATE.—

15 (1) IN GENERAL.—The amendments made by
16 subsection (a) shall take effect on the first day of
17 the first fiscal year beginning after the date of the
18 enactment of this Act.

19 (2) ELIMINATION OF FAMILY-BASED POINTS.—

20 The amendments made by subsection (b)(2) shall
21 take effect on the date that is 10 years after the
22 date of the enactment of this Act.

23 On page 312, strike lines 4 through 7, and insert the
24 following:

1 (3) PREFERENCE ALLOCATION OF FAMILY-
2 SPONSORED IMMIGRANT VISAS.—Section 203(a) (8
3 U.S.C. 1153(a)), as amended by section 2305(b) and
4 paragraphs (1) and (2), is further amended to read
5 as follows:

6 “(a) PREFERENCE ALLOCATION FOR FAMILY-SPON-
7 SORED IMMIGRANTS.—Aliens subject to the worldwide
8 level specified in section 201(c) for family-sponsored immi-
9 grants shall be allotted visas as follows:

10 “(1) UNMARRIED SONS AND DAUGHTERS OF
11 CITIZENS.—Qualified immigrants who are the un-
12 married sons or daughters of citizens of the United
13 States shall be allocated visas in a number not to ex-
14 ceed 20 percent of the worldwide level of family-
15 sponsored immigrants under section 201(c), plus any
16 visas not required for the class specified in para-
17 graph (4).

18 “(2) UNMARRIED SONS AND DAUGHTERS OF
19 PERMANENT RESIDENTS.—Qualified immigrants
20 who are the unmarried sons or daughters, but not
21 a child (as defined in section 101(b)(1)), of an alien
22 lawfully admitted for permanent residence shall be
23 allocated visas in a number not to exceed the sum
24 of—

1 “(A) 20 percent of the worldwide level of
2 family-sponsored immigrants under section
3 201(c); and

4 “(B) any visas not required for the class
5 specified in paragraph (1).

6 “(3) MARRIED SONS AND MARRIED DAUGHTERS
7 OF CITIZENS.—Qualified immigrants who are the
8 married sons or married daughters of citizens of the
9 United States shall be allocated visas in a number
10 not to exceed 20 percent of the worldwide level of
11 family-sponsored immigrants under section 201(c),
12 plus any visas not required for the classes specified
13 in paragraphs (1) and (2).

14 “(4) BROTHERS AND SISTERS OF CITIZENS.—
15 Qualified immigrants who are the brothers or sisters
16 of citizens of the United States, if such citizens are
17 at least 21 years of age, shall be allocated visas in
18 a number not to exceed 40 percent of the worldwide
19 level of family-sponsored immigrants under section
20 201(c), plus any visas not required for the classes
21 specified in paragraphs (1) through (3).”.

22 (4) EFFECTIVE DATE.—

23 (A) PARAGRAPHS (1) AND (2).—The
24 amendments made by paragraphs (1) and (2)
25 shall take effect on the first day of the first fis-

1 cal year that begins at least 18 months after
2 the date of the enactment of this Act.

3 (B) PARAGRAPH (3).—The amendment
4 made by paragraph (3) shall take effect on the
5 date that is 10 years after the date of the en-
6 actment of this Act.

7 On page 331, strike lines 18 through 21, and insert
8 the following:

9 (d) RESTORATION OF CERTAIN FAMILY-SPONSORED
10 IMMIGRANT CATEGORIES.—

11 (1) NONIMMIGRANT ELIGIBILITY.—Section
12 101(a)(15)(V) (8 U.S.C. 1101(a)(15)(V)) is amend-
13 ed to read as follows:

14 “(V) subject to section 214(q) and section
15 212(a)(4), an alien who is the beneficiary of an
16 approved petition under section 203(a) as—

17 “(i) the unmarried son or unmarried
18 daughter of a citizen of the United States;

19 “(ii) the unmarried son or unmarried
20 daughter of an alien lawfully admitted for
21 permanent residence;

22 “(iii) the married son or married
23 daughter of a citizen of the United States;

24 or

1 “(iv) the sibling of a citizen of the
2 United States.”.

3 (2) EMPLOYMENT AND PERIOD OF ADMISSION
4 OF NONIMMIGRANTS DESCRIBED IN SECTION
5 101(A)(15)(V).—Section 214(q) (8 U.S.C. 1184(q)) is
6 amended to read as follows:

7 “(q) NONIMMIGRANTS DESCRIBED IN SECTION
8 101(A)(15)(V).—

9 “(1) EMPLOYMENT AUTHORIZATION.—The Sec-
10 retary shall—

11 “(A) authorize a nonimmigrant admitted
12 pursuant to section 101(a)(15)(V) to engage in
13 employment in the United States during the pe-
14 riod of such nonimmigrant’s authorized admis-
15 sion; and

16 “(B) provide such a nonimmigrant with an
17 ‘employment authorized’ endorsement or other
18 appropriate document signifying authorization
19 of employment.

20 “(2) TERMINATION OF ADMISSION.—The period
21 of authorized admission for such a nonimmigrant
22 shall terminate 30 days after the date on which—

23 “(A) such nonimmigrant’s application for
24 an immigrant visa pursuant to the approval of

1 a petition under subsection (a) or (c) of section
2 203 is denied; or

3 “(B) such nonimmigrant’s application for
4 adjustment of status under section 245 pursu-
5 ant to the approval of such a petition is de-
6 nied.”.

7 (e) EFFECTIVE DATES.—

8 (1) IN GENERAL.—The amendments made by
9 subsections (a), (b), and (c) shall take effect on the
10 first day of the first fiscal year beginning after the
11 date of the enactment of this Act.

12 (2) RESTORATION OF FAMILY-SPONSORED IM-
13 MIGRANT CATEGORIES.—The amendments made by
14 subsection (d) shall take effect on the date that is
15 10 years after the date of the enactment of this Act.