

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide the denial of benefits and removal of terrorist aliens.

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. SESSIONS

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . DENIAL OF BENEFITS AND REMOVAL OF TER-**
3 **RORIST ALIENS.**

4 (a) ASYLUM.—Section 208(b)(2)(A) (8 U.S.C.
5 1158(b)(2)(A)) is amended—

6 (1) by inserting “or the Secretary of Homeland
7 Security” after “if the Attorney General”; and

8 (2) by striking clause (v) and inserting the fol-
9 lowing:

10 “(v) the alien is described in section
11 212(a)(3)(B)(i) or section 212(a)(3)(F),
12 unless, in the case of an alien described in

1 subclause (IX) of section 212(a)(3)(B)(i),
2 the Attorney General or the Secretary of
3 Homeland Security determines, in his dis-
4 cretion, that there are not reasonable
5 grounds for regarding the alien as a dan-
6 ger to the security of the United States;
7 or”.

8 (b) CANCELLATION OF REMOVAL.—Section
9 240A(c)(4) (8 U.S.C. 1229b(c)(4)) is amended—

10 (1) by striking “inadmissible under” and insert-
11 ing “described in”; and

12 (2) by striking “deportable under” and insert-
13 ing “described in”.

14 (c) VOLUNTARY DEPARTURE.—Section
15 240B(b)(1)(C) (8 U.S.C. 1229c(b)(1)(C)) is amended by
16 striking “deportable under section 237(a)(2)(A)(iii) or
17 section 237(a)(4)” and inserting “described in paragraph
18 (2)(A)(iii) or (4) of section 237(a)”.

19 (d) RESTRICTION ON REMOVAL.—Section
20 241(b)(3)(B) (8 U.S.C. 1231(b)(3)(B)) is amended—

21 (1) by inserting “or the Secretary of Homeland
22 Security” after “Attorney General” wherever it ap-
23 pears;

24 (2) in clause (iii), by striking “or” at the end;

1 (3) in clause (iv) by striking the period at the
2 end and inserting “; or”;

3 (4) by inserting after clause (iv) the following:

4 “(v) the alien is described in section
5 212(a)(3)(B)(i) or section 212(a)(3)(F),
6 unless, in the case of an alien described in
7 subclause (IX) of section 212(a)(3)(B)(i),
8 the Attorney General or the Secretary of
9 Homeland Security determines, in his dis-
10 cretion, that there are not reasonable
11 grounds for regarding the alien as a dan-
12 ger to the security of the United States.”;
13 and

14 (5) in the undesignated paragraph, by striking
15 “For purposes of clause (iv), an alien who is de-
16 scribed in section 237(a)(4)(B) shall be considered
17 to be an alien with respect to whom there are rea-
18 sonable grounds for regarding as a danger to the se-
19 curity of the United States.”.

20 (e) CONFORMING AMENDMENT.—Section
21 212(a)(3)(B)(ii) (8 U.S.C. 1182(a)(3)(B)(ii)) is amended
22 by striking “(VII)” and inserting “(IX)”.

23 (f) RECORD OF ADMISSION.—The text of section 249
24 (8 U.S.C. 1259) is amended to read as follows:

1 “(a) The Secretary of Homeland Security, in the Sec-
2 retary’s discretion and under such regulations as the Sec-
3 retary may prescribe, may enter a record of lawful admis-
4 sion for permanent residence in the case of any alien, if
5 no such record is otherwise available and the alien—

6 “(1) entered the United States before January
7 1, 1972;

8 “(2) has continuously resided in the United
9 States since such entry;

10 “(3) has been a person of good moral character
11 since such entry;

12 “(4) is not ineligible for citizenship;

13 “(5) is not described in section
14 212(a)(1)(A)(iv), 212(a)(2), 212(a)(3),
15 212(a)(6)(C), 212(a)(6)(E), or 212(a)(8); and

16 “(6) did not, at any time, without reasonable
17 cause fail or refuse to attend or remain in attend-
18 ance at a proceeding to determine the alien’s inad-
19 missibility or deportability.

20 “(b) A recordation under subsection (a) shall be ef-
21 fective as of the date of approval of the application or as
22 of the date of entry if such entry occurred prior to July
23 1, 1924.”.

24 (g) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on the date of enactment of

1 this Act and sections 208(b)(2)(A), 212(a), 240A, 240B,
2 241(b)(3), and 249 of the Immigration and Nationality
3 Act, as so amended, shall apply to—

4 (1) all aliens in removal, deportation, or exclu-
5 sion proceedings;

6 (2) all applications pending on or filed after the
7 date of the enactment of this Act; and

8 (3) with respect to aliens and applications de-
9 scribed in paragraph (1) or (2) of this subsection,
10 acts and conditions constituting a ground for inad-
11 missibility, excludability, deportation, or removal oc-
12 ccurring or existing before, on, or after the date of
13 the enactment of this Act.