

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

Purpose: To ensure that granting of registered provisional immigrant status does not result in the admission of immigrants likely to become public charges.

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 Mr. SESSIONS

Viz:

- On page 65, line 4, strike “(4),”.
- On page 67, between lines 18 and 19, insert the following:
- “(III) section 212(a)(4);
- On page 67, line 19, strike “(III)” and insert “(IV)”.
- On page 67, line 21, strike “(IV)” and insert “(V)”.

1       On page 87, strikes lines 16 and 17, and insert the  
2 following:

3               “(12) MATTERS TO BE CONSIDERED IN REVIEW  
4 OF APPLICATIONS.—

5               “(A) POTENTIAL FUTURE RELIANCE OF  
6 FEDERAL MEANS-TESTED PUBLIC BENEFITS.—

7       In considering the application of an alien for  
8 registered provisional immigrant status, the  
9 Secretary shall consider the likelihood of the  
10 alien’s reliance, at any point in the future, on  
11 cash and non-cash Federal means-tested public  
12 benefits (as that term is defined and imple-  
13 mented in section 403 of the Personal Respon-  
14 sibility and Work Opportunity Reconciliation  
15 Act of 1996 (8 U.S.C. 1613)).

16               “(B) STATE ASSESSMENT OF LIKELIHOOD  
17 ALIEN WILL BECOME A PUBLIC CHARGE.—

18               “(i) IN GENERAL.—In considering the  
19 application of an alien for registered provi-  
20 sional immigrant status, the Secretary  
21 shall consider any comments submitted to  
22 the Secretary by the State government of  
23 the State of the alien’s primary residence  
24 on the likelihood the alien will become a  
25 public charge.

1 “(ii) NOTICE AND WAIT PERIOD.—

2 The Secretary shall provide States an op-  
3 portunity to submit comments to the Sec-  
4 retary on aliens under this subparagraph.

5 “(iii) EFFECT OF AFFIRMATIVE LIKE-  
6 LIHOOD ON DETERMINATION OF ELIGI-  
7 BILITY.—If a State government advises the  
8 Secretary under clause (i) that an alien is  
9 likely to become a public charge, the Sec-  
10 retary shall consider such comments of the  
11 State government in determining an alien’s  
12 eligibility for registered provisional immi-  
13 grant status.

14 “(13) EVIDENCE OF REGISTERED PROVISIONAL  
15 IMMIGRANT STATUS.—

16 On page 88, line 20, strike “(13)” and insert “(14)”.

17 At the end of subtitle G of title III, add the following:

18 **SEC. 3720. ANNUAL REPORT ON ALIENS DENIED ADMISSION**  
19 **AND DEPORTED ON PUBLIC CHARGE**  
20 **GROUND.**

21 Not later than January 31 each year, the Secretary  
22 shall submit to Congress a report setting forth, for the  
23 preceding calendar year, the following:

1           (1) The number of aliens denied admission or  
2           adjustment of status under section 212(a)(4) of the  
3           Immigration and Nationality Act (8 U.S.C.  
4           1182(a)(4)).

5           (2) The number of aliens deported pursuant to  
6           section 237(a)(5) of the Immigration and Nation-  
7           ality Act (8 U.S.C. 1227(a)(5)).