SUBMITTED RESOLUTIONS

SENATE RESOLUTION 172—DESIGNATING THE FIRST WEDNESDAY IN SEPTEMBER 2013 AS ''NATIONAL POLYCYSTIC KIDNEY DISEASE AWARENESS DAY'' AND RAISING AWARENESS AND UNDERSTANDING OF POLYCYSTIC KIDNEY DISEASE

Mr. BLUNT submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 172

Whereas National Polycystic Kidney Disease Awareness Day will raise public awareness and understanding of polycystic kidney disease, one of the most prevalent, life-threatening genetic kidney diseases;

Whereas National Polycystic Kidney Disease Awareness Day will also foster understanding of the impact polycystic kidney disease has on patients and their families;

Whereas polycystic kidney disease is a progressive, genetic disorder of the kidneys that causes damage to the kidneys and the cardiovascular, endocrine, hepatic, and gastrointestinal organ systems;

Whereas polycystic kidney disease has a devastating impact on the health and finances of people of all ages, and equally affects people of all races, genders, nationalities, geographic locations, and income levels;

Whereas, of the people diagnosed with polycystic kidney disease, approximately 10 percent have no family history of the disease, with the disease developing as a spontaneous (or new) mutation;

Whereas there is no treatment or cure for polycystic kidney disease, which is one of the 4 leading causes of kidney failure in the United States;

Whereas the vast majority of patients with polycystic kidney disease reach kidney failure at an average age of 53, causing a severe strain on dialysis and kidney transplantation resources and on the delivery of health care in the United States as the largest segment of the population of the United States, the ''baby boomers'', continues to age;

Whereas polycystic kidney disease instills in patients fear of an unknown future with a life-threatening genetic disease and apprehension over possible discrimination, including the risk of losing their health and life insurance, their jobs, and their chances for promotion;

Whereas countless friends, loved ones, spouses, and caregivers must shoulder the physical, emotional, and financial burdens that polycystic kidney disease causes;

Whereas the severity of the symptoms of polycystic kidney disease and the limited public awareness of the disease cause many patients to live in denial and forego regular visits to their physicians or avoid following good health management, which would help avoid more severe complications when kidney failure occurs;

Whereas people who have chronic, life-threatening diseases like polycystic kidney disease have a predisposition to depression and its resultant consequences of 7 times the national average because of their anxiety over pain, suffering, and premature death; and

Whereas the PKD Foundation and its more than 60 volunteer chapters around the United States are dedicated to conducting research to find treatments and a cure for polycystic kidney disease, fostering public awareness and understanding of the disease, educating patients and their families about the disease to improve their treatment and care, and providing support and encouraging people to become organ donors, including by sponsoring the annual ''Walk for PKD'' to raise funds for polycystic kidney disease research, education, advocacy, and awareness: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first Wednesday in September 2013 as ''National Polycystic Kidney Disease Awareness Day'';

(2) supports the goals and ideals of National Polycystic Kidney Disease Awareness Day to raise public awareness and understanding of polycystic kidney disease;

(3) recognizes the need for additional research to find a cure for polycystic kidney disease; and

(4) encourages all people in the United States and interested groups to support National Polycystic Kidney Disease Awareness Day through appropriate ceremonies and activities to promote public awareness of polycystic kidney disease and to foster understanding of the impact of the disease on patients and their families.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1287. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table.

SA 1288. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1289. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1290. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1291. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1292. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, supra; which was ordered to lie on the table.

SA 1293. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1294. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1295. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1296. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1297. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, supra; which was ordered to lie on the table.

SA 1298. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1299. Mr. GRASSLEY (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1300. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1301. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1302. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1303. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1304. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1305. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1306. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1307. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1309. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1310. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1311. Mr. BROWN (for himself, Mr. GRASSLEY, Mr. MANCHIN, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1312. Mr. SANDERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1313. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1314. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, supra; which was ordered to lie on the table.

SA 1315. Mr. KING (for Mr. GRASSLEY) proposed an amendment to the bill S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV).

TEXT OF AMENDMENTS

SA 1287. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 855, strike line 24 and all that follows through page 856, line 9, and insert the following:

(1) PROCESSING OF APPLICATIONS FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—

(A) IN GENERAL.—Not earlier than the date on which the Secretary submits a certification to Congress stating that the Department has maintained effective control of high-risk border sectors along the Southern border for a period of not less than 6 months, the Secretary may commence processing applications for registered provisional immigrant status pursuant to section 245B of the

Immigration and Nationality Act, as added by section 2101 of this Act.

(B) HIGH-RISK BORDER SECTOR DEFINED.—In this paragraph, the term ''high-risk border sector'' means a border sector in which more than 30,000 individuals were apprehended by the Department during the most recent fiscal year.

SA 1288. Mr. COATS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1583, line 19, before ''to conduct'' insert '', in addition to for-profit entities,''.

SA 1289. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ELIGIBILITY FOR CHILD TAX CREDIT.

(a) REQUIRED SUBMISSION OF TAXPAYER IDENTIFICATION NUMBERS.—

(1) IN GENERAL.—Subsection (e) of section 24 of the Internal Revenue Code of 1986 is amended by striking ''under this section to a taxpayer'' and all that follows and inserting ''under this section to any taxpayer unless—

''(1) such taxpayer includes the taxpayer's valid identification number (as defined in section 6428(h)(2)) on the return of tax for the taxable year, and

''(2) with respect to any qualifying child, the taxpayer includes the name and taxpayer identification number of such qualifying child on such return of tax.''.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to taxable years beginning after the date of the enactment of this Act.

(b) REPORT BY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Not later than 90 days after the end of the first fiscal year following the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall submit a report to the relevant committees of Congress that includes the total amount of credits allowed under section 24 of the Internal Revenue Code of 1986 for the preceding fiscal year to individuals who—

(1) were unlawfully present in the United States; or

(2) were not citizens or lawful permanent residents of the United States and filed a tax return without a valid identification number for the taxpayer or the qualifying child.

SA 1290. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 3722. UNLAWFUL VOTING.

(a) AGGRAVATED FELONY.—Paragraph (43) of section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)) is amended—

(1) in subparagraph (T), by striking ''and'' at the end;

(2) in subparagraph (U), by striking the period at the end and inserting a semicolon and ''and''; and

(3) by adding at the end the following:

''(V) an offense described in section 611 of title 18, United States Code, committed by an alien who is unlawfully present in the United States.''.

(b) DEPORTABLE OFFENSE.—Paragraph (2) of section 237(a) of the Immigration and Nationality Act (8 U.S.C. 1227(a)), as amended by sections 3701 and 3702, is further amended by adding at the end the following:

''(I) VOTING OFFENSES.—Any alien who is unlawfully present in the United States and who knowingly commits a violation of section 611 of title 18, United States Code.''.

SA 1291. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PROHIBITION ON USE OF FEDERAL FUNDS IN CONTRAVENTION OF SECTION 642(A) OF THE ILLEGAL IMMIGRATION REFORM AND IMMIGRANT RESPONSIBILITY ACT OF 1996.

No funds made available under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.) or under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) may be used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373(a)).

SA 1292. Mr. GRASSLEY (for Mr. VITTER) submitted an amendment intended to be proposed by Mr. GRASSLEY to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1300, between lines 11 and 12, insert the following:

CHAPTER 5—BIRTHRIGHT CITIZENSHIP

SEC. 2561. SHORT TITLE.

This chapter may be cited as the ''Birthright Citizenship Act of 2013''.

SEC. 2562. CITIZENSHIP AT BIRTH FOR CERTAIN PERSONS BORN IN THE UNITED STATES.

(a) IN GENERAL.—Section 301 (8 U.S.C. 1401) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The following'';

(2) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting such paragraphs, as redesignated, an additional 2 ems to the right; and

(3) by adding at the end the following:

''(b) DEFINITION.—Acknowledging the right of birthright citizenship established by section 1 of the 14th Amendment to the Constitution of the United States, a person born in the United States shall be considered 'subject to the jurisdiction' of the United States for purposes of subsection (a)(1) only if the person is born in the United States and at least 1 of the person's parents is—

''(1) a citizen or national of the United States;

''(2) an alien lawfully admitted for permanent residence in the United States whose residence is in the United States; or

''(3) an alien performing active service in the armed forces (as defined in section 101 of title 10, United States Code).''.

(b) APPLICABILITY.—The amendment made by subsection (a)(3) may not be construed to affect the citizenship or nationality status of any person born before the date of the enactment of this Act.

SA 1293. Mr. BEGICH submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1829, between lines 20 and 21, insert the following:

''(C) SET ASIDE.—

''(i) IN GENERAL.—Of the registered positions authorized under each of clauses (i), (ii), and (iii), 5,000 shall be set aside for W nonimmigrants who will be employed in areas of Alaska designated by the Alaska Department of Labor and Workforce Development in an occupation in the seafood processing industry that has been designated by the Commissioner as a shortage occupation.

''(ii) RELEASE OF VISAS.—Any visas set aside in a program year pursuant to clause (i) that are not issued by July 1st of such year, shall be made available for W nonimmigrants not described in clause (i).

SA 1294. Mr. CARDIN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 969, beginning on line 15, strike ''employment'' and insert ''employment, community service, or education''.

On page 969, line 24, strike ''EMPLOYMENT OR EDUCATION'' and inserting ''EMPLOYMENT, EDUCATION, OR COMMUNITY SERVICE''.

On page 970, line 7, insert ''or engaged in community service'' after ''regularly employed''.

On page 986, line 3, insert ''or engaged in community service'' after ''regularly employed''.

On page 987, beginning on line 6, strike ''employment or education'' and insert ''employment, education, or community service''.

On page 987, line 11, strike ''employment or education,'' and insert ''employment, education, or community service,''.

On page 987, between lines 18 and 19 insert the following:

''(V) records of a faith-based or nonprofit organization recognized as such, pursuant to section 501(c) of the Internal Revenue Code 16 of 1986;''.

SA 1295. Mr. CRUZ (for himself and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1626, between lines 12 and 13, insert the following:

Subtitle ____—PROTECTING VOTER INTEGRITY

SEC. 3901. STATES PERMITTED TO REQUIRE PROOF OF CITIZENSHIP FOR VOTER REGISTRATION.

Section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) is amended by adding at the end the following new subsection:

''(e) PROOF OF CITIZENSHIP.—Nothing in subsection (a) shall be construed to preempt any State law requiring evidence of citizenship in order to complete any requirement to register to vote in elections for Federal office.''.

SA 1296. Mr. SCHATZ (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for

other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE V—MISCELLANEOUS

SEC. 5001. REPORT ON VISA PROCESSING AT UNITED STATES EMBASSIES AND CONSULATES.

(a) INITIAL REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on visa processing at United States embassies and consulates that—

(1) assesses the efforts of the Department of State to expand its visa processing capacity in the People's Republic of China and Brazil;

(2) provides recommendations, if warranted, for improving the effectiveness of those efforts;

(3) identifies the challenges to meeting staffing requirements with respect to visa processing at United States embassies and consulates, including staffing shortages and foreign language proficiency requirements;

(4) discusses how those challenges affect the ability of the Department of State to carry out visa operations;

(5) describes what actions the Department of State has taken to address those challenges; and

(6) provides recommendations, if warranted, for improving the efforts of the Department of State to meet staffing requirements at United States embassies and consulates.

(b) SUBSEQUENT REPORT.—Not later than 2 years after submitting the report required by subsection (a), the Comptroller General shall submit to Congress a report assessing the progress made by the Department of State with respect to the matters included in the report required by subsection (a) since the submission of that report.

SA 1297. Ms. KLOBUCHAR (for herself, Mr. COATS, and Ms. LANDRIEU) submitted an amendment intended to be proposed by her to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1226, line 3, strike ''Section'' and insert the following:

(a) IN GENERAL.—Section

On page 1226, after line 25, add the following:

(b) EFFECT OF ADOPTION DOCUMENTATION.—

(1) IN GENERAL.—For purposes of all immigration laws of the United States, the Director of U.S. Citizenship and Immigration Services, the Secretary of State, and all other Federal agencies shall accept adoption documentation presented on behalf of a child as evidence that the child satisfies the requirements set forth in section 101(b)(1)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(E)), regardless of whether the child has been in the legal custody of, and has resided with, the adopting parent or parents for 2 years, if the documentation includes—

(A) a Hague Adoption Certificate, certifying that the adoption of the child was granted in compliance with the Convention, affixed to an adoption decree issued by the Central Authority (as such term is used in the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, done at the Hague on May 29, 1993) of the child's sending country to the adoptive parents,; or

(B) a Hague Custody Declaration, certifying that the custody of the child was granted in compliance with the Convention, affixed to a custody or guardianship decree issued by the Central Authority of the child's sending country to the adoptive parents, and a final adoption decree, verifying that the adoption of the child was later finalized outside the United States by the adoptive parents.

(2) SUBSTANTIAL COMPLIANCE WITH HAGUE CONVENTION.—Paragraph (1) shall not apply unless, on the date on which the underlying adoption, custody, or guardianship decree was issued by the child's sending country, that country's adoption procedures substantially complied with the requirements of the Convention.

SA 1298. Mr. PRYOR (for himself and Mr. JOHANNS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 1102, add the following:

(e) RECRUITMENT OF FORMER MEMBERS OF THE ARMED FORCES AND MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.—

(1) REQUIREMENT FOR PROGRAM.—The Secretary, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, to serve in United States Customs and Border Protection and United States Immigration and Customs Enforcement.

(2) RECRUITMENT INCENTIVES.—

(A) STUDENT LOAN REPAYMENTS FOR UNITED STATES BORDER PATROL AGENTS WITH A THREE-YEAR COMMITMENT.—Section 5379(b) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(4) In the case of an employee who is otherwise eligible for benefits under this section and who is serving as a full-time active-duty United States border patrol agent within the Department of Homeland Security—

''(A) paragraph (2)(A) shall be applied by substituting '$20,000' for '$10,000'; and

''(B) paragraph (2)(B) shall be applied by substituting '$80,000' for '$60,000'.''.

(B) RECRUITMENT AND RELOCATION BONUSES AND RETENTION ALLOWANCES FOR PERSONNEL OF THE DEPARTMENT OF HOMELAND SECURITY.—The Secretary of Homeland Security shall ensure that the authority to pay recruitment and relocation bonuses under section 5753 of title 5, United States Code, the authority to pay retention bonuses under section 5754 of such title, and any other similar authorities available under any other provision of law, rule, or regulation, are exercised to the fullest extent allowable in order to encourage service in the Department of Homeland Security.

(3) REPORT ON RECRUITMENT INCENTIVES.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary and the Secretary of Defense shall jointly submit to the appropriate committees of Congress a report including an assessment of the desirability and feasibility of offering incentives to members of the reserve components of the Armed Forces and former members of the Armed Forces, including the reserve components, for the purpose of encouraging such members to serve in United States Customs and Border Protection and Immigration and Customs Enforcement.

(B) CONTENT.—The report required by subparagraph (A) shall include—

(i) a description of various monetary and non-monetary incentives considered for purposes of the report; and

(ii) an assessment of the desirability and feasibility of utilizing any such incentive.

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, and the Committee on Homeland Security of the House of Representatives.

SA 1299. Mr. GRASSLEY (for himself and Mr. KIRK) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3701 and insert the following:

SEC. 3701. CRIMINAL GANGS.

(a) DEFINITION OF CRIMINAL GANG.—Section 101(a) (8 U.S.C. 1101(a)) is amended by inserting after paragraph (51) the following:

''(52)(A) The term 'criminal gang' means an ongoing group, club, organization, or association of 5 or more persons—

''(i) that has as 1 of its primary purposes the commission of 1 or more of the criminal offenses described in subparagraph (B); and

''(ii) the members of which engage, or have engaged within the past 5 years, in a continuing series of offenses described in subparagraph (B).

''(B) The offenses described in this subparagraph are the following, whether in violation of Federal or State law or in violation of the law of a foreign country:

''(i) A felony drug offense (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

''(ii) A felony offense involving firearms or explosives or in violation of section 931 of title 18, United States Code (relating to purchase, ownership, or possession of body armor by violent felons).

''(iii) An offense under section 274 (relating to bringing in and harboring certain aliens), section 277 (relating to aiding or assisting certain aliens to enter the United States), or section 278 (relating to importation of alien for immoral purpose).

''(iv) A felony crime of violence (as defined in section 16 of title 18, United States Code).

''(v) A crime involving obstruction of justice, tampering with or retaliating against a witness, victim, or informant, or burglary

''(vi) Any conduct punishable under sections 1028 and 1029 of title 18, United States Code (relating to fraud and related activity in connection with identification documents or access devices), sections 1581 through 1594 of such title (relating to peonage, slavery and trafficking in persons), section 1952 of such title (relating to interstate and foreign travel or transportation in aid of racketeering enterprises), section 1956 of such title(relating to the laundering of monetary instruments), section 1957 of such title (relating to engaging in monetary transactions in property derived from specified unlawful activity), or sections 2312 through 2315 of such title(relating to interstate transportation of stolen motor vehicles or stolen property).

''(vii) Conspiracy to commit an offense described in specified in clauses (i) through (vi).''.

(b) INADMISSIBILITY.—Section 212(a)(2) (8 U.S.C. 1182(a)(2)) is amended by inserting after subparagraph (I) the following:

''(J) ALIENS IN CRIMINAL GANGS.—Any alien is inadmissible who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(c) GROUNDS FOR DEPORTATION.—Section 237(a)(2) (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

''(G) ALIENS IN CRIMINAL GANGS.—Any alien is removable who—

''(i) is a member of a criminal gang unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

''(ii) is determined by an immigration judge to be a danger to the community.''.

(d) GROUND OF INELIGIBILITY FOR REGISTERED PROVISIONAL IMMIGRANT STATUS.—An alien who is 18 years of age or older is ineligible for registered provisional immigrant status if the Secretary determines that the alien—

(1) is a member of a criminal gang (as defined in section 101(a)(52) of the Immigration and Nationality Act, as amended by subsection (a)) unless the alien can demonstrate by clear and convincing evidence that the alien did not know, and should not reasonably have known, that the organization was a criminal gang; and

(2) has been determined by the Secretary to be a danger to the community.

SA 1300. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IDENTITY THEFT.

(a) FRAUD.—Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''; and

(2) in subsection (b)(3)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(D) to facilitate or assist in harboring or hiring unauthorized workers in violation of section 274, 274A, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a, 1324c);''.

(b) AGGRAVATED IDENTITY THEFT.—Section 1028A(a) of such title is amended by striking ''of another person'' both places it appears and inserting ''that is not his or her own''.

SA 1301. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike sections 3704 through 3707 and insert the following:

SEC. 3704. ILLEGAL ENTRY.

(a) IN GENERAL.—Section 275 (8 U.S.C. 1325) is amended to read as follows:

''SEC. 275. ILLEGAL ENTRY.

''(a) IN GENERAL.—

''(1) CRIMINAL OFFENSES.—An alien shall be subject to the penalties set forth in paragraph (2) if the alien—

''(A) enters, attempts to enter, or crosses the border into the United States at any time or place other than as designated by the Secretary of Homeland Security;

''(B) eludes examination or inspection by an immigration officer, or a customs or agriculture inspection at a port of entry; or

''(C) attempts to enter or obtains entry to the United States by means of a knowingly false or misleading representation or the concealment of a material fact.

''(2) CRIMINAL PENALTIES.—Any alien who violates any provision under paragraph (1)—

''(A) shall, for the first violation, be fined under title 18, United States Code, imprisoned not more than 12 months, or both;

''(B) shall, for a second or subsequent violation, or following an order of voluntary departure, be fined under such title, imprisoned not more than 3 years, or both;

''(C) if the violation occurred after the alien had been convicted of 3 or more misdemeanors or of a felony, shall be fined under such title, imprisoned not more than 10 years, or both; and

''(D) if the violation occurred after the alien had been convicted of a felony for which the alien was sentenced to a term of imprisonment, shall be fined under such title, imprisoned not more than 15 years, or both.

''(3) PRIOR CONVICTIONS.—The prior convictions described in subparagraphs (C) and (D) of paragraph (2) are elements of the offenses described in that paragraph and the penalties in such subparagraphs shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(A) alleged in the indictment or information; and

''(B) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(b) IMPROPER TIME OR PLACE; CIVIL PENALTIES.—Any alien who is apprehended while knowingly entering, attempting to enter, or crossing or attempting to cross the border to the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty, in addition to any criminal or other civil penalties that may be imposed under any other provision of law, in an amount equal to—

''(1) not less than $250 or more than $5,000 for each such entry, crossing, attempted entry, or attempted crossing; or

''(2) twice the amount specified in paragraph (1) if the alien had previously been subject to a civil penalty under this subsection.

''(c) FRAUDULENT MARRIAGE.—An individual who knowingly enters into a marriage for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than $250,000, or both.

''(d) COMMERCIAL ENTERPRISES.—Any individual who knowingly establishes a commercial enterprise for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined in accordance with title 18, United States Code, or both.''.

(b) CLERICAL AMENDMENT.—The table of contents is amended by striking the item relating to section 275 and inserting the following:

''Sec. 275. Illegal entry.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

SEC. 3705. REENTRY OF REMOVED ALIEN.

Section 276 (8 U.S.C. 1326) is amended to read as follows:

''SEC. 276. REENTRY OF REMOVED ALIEN.

''(a) REENTRY AFTER REMOVAL.—Any alien who has been denied admission, excluded, deported, or removed, or who has departed the United States while an order of exclusion, deportation, or removal is outstanding, and subsequently enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 2 years, or both.

''(b) REENTRY OF CRIMINAL OFFENDERS.—Notwithstanding the penalty provided in subsection (a), if an alien described in that subsection—

''(1) was convicted for 3 or more misdemeanors before such removal or departure, the alien shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both;

''(2) was convicted for an aggravated felony before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(3) was convicted for a felony before such removal or departure for which the alien was sentenced to a term of imprisonment of not less than 60 months, the alien shall be fined under such title, imprisoned not more than 20 years, or both;

''(4) was convicted for 3 felonies before such removal or departure, the alien shall be fined under such title, imprisoned not more than 20 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien; or

''(5) was convicted, before such removal or departure, for murder, rape, kidnapping, or a felony offense described in chapter 77 (relating to peonage and slavery) or 113B (relating to terrorism) of such title, the alien shall be fined under such title, imprisoned not more than 20 years, or both.

''(c) REENTRY AFTER REPEATED REMOVAL.—Any alien who has been denied admission, excluded, or deported and thereafter enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in the United States, shall be fined under title 18, United States Code, imprisoned not more than 10 years, or both, unless the Attorney General expressly consents to the entry or reentry, as the case may be, of the alien.

''(d) PROOF OF PRIOR CONVICTIONS.—The prior convictions described in subsection (b) are elements of the offenses described in that subsection, and the penalties in such subsection shall apply only in cases in which the conviction or convictions that form the basis for the additional penalty are—

''(1) alleged in the indictment or information; and

''(2) proven beyond a reasonable doubt at trial or admitted by the defendant under oath as part of a plea agreement.

''(e) AFFIRMATIVE DEFENSES.—It shall be an affirmative defense to a violation of this section that—

''(1) prior to the alleged violation, the alien had sought and received the express consent of the Secretary of Homeland Security to reapply for admission into the United States; or

''(2) at the time of the prior exclusion, deportation, removal, or denial of admission alleged in the violation, the alien had not yet reached 18 years of age and had not been convicted of a crime or adjudicated a delinquent minor by a court of the United States, or a court of a state or territory, for conduct that would constitute a felony if committed by an adult.

''(f) LIMITATION ON COLLATERAL ATTACK ON UNDERLYING DEPORTATION ORDER.—In a criminal proceeding under this section, an alien may not challenge the validity of the deportation order described in subsection (a) or subsection (c) unless the alien demonstrates that—

''(1) the alien exhausted any administrative remedies that may have been available to seek relief against the order;

''(2) the deportation proceedings at which the order was issued improperly deprived the alien of the opportunity for judicial review; and

''(3) the entry of the order was fundamentally unfair.

''(g) REENTRY OF ALIEN REMOVED PRIOR TO COMPLETION OF TERM OF IMPRISONMENT.—Any alien removed pursuant to section 241(a)(4) who enters, attempts to enter, crosses the border to, attempts to cross the border to, or is at any time found in, the United States shall be incarcerated for the remainder of the sentence of imprisonment which was pending at the time of deportation without any reduction for parole or supervised release. Such alien shall be subject to such other penalties relating to the reentry of removed aliens as may be available under this section or any other provision of law.

''(h) LIMITATION.—It is not aiding and abetting a violation of this section for an individual to provide an alien with emergency medical care and food or to transport the alien to a location where such medical care or food can be provided without compensation or the expectation of compensation.

''(i) DEFINITIONS.—In this section:

''(1) FELONY.—The term 'felony' means any criminal offense punishable by a term of imprisonment of more than 1 year under the laws of the United States, any State, or a foreign government.

''(2) MISDEMEANOR.—The term 'misdemeanor' means any criminal offense punishable by a term of imprisonment of not more than 1 year under the applicable laws of the United States, any State, or a foreign government.

''(3) REMOVAL.—The term 'removal' includes any denial of admission, exclusion, deportation, or removal, or any agreement by which an alien stipulates or agrees to exclusion, deportation, or removal.

''(4) STATE.—The term 'State' means a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.''.

SEC. 3706. PENALTIES RELATED TO REMOVAL.

(a) PENALTIES RELATING TO VESSELS AND AIRCRAFT.—Section 243(c) (8 U.S.C. 1253(c)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''Commissioner'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(3) in paragraph (1)—

(A) in subparagraph (A), by striking ''$2,000'' and inserting ''$5,000'';

(B) in subparagraph (B), by striking ''$5,000'' and inserting ''$10,000''; and

(C) by inserting at the end the following:

''(D) EXCEPTION.—A person, acting without compensation or the expectation of compensation, is not subject to penalties under this paragraph if the person is—

''(i) providing, or attempting to provide, an alien with emergency medical care or food or water; or

''(ii) transporting the alien to a location where such medical care, food, or water can be provided without compensation or the expectation of compensation.''.

(b) DISCONTINUATION OF VISAS TO NATIONALS OF COUNTRIES DENYING OR DELAYING ACCEPTING ALIEN.—Section 243(d) (8 U.S.C. 1253(d)) is amended—

(1) by striking ''Attorney General'' each place such term appears and inserting ''Secretary of Homeland Security''; and

(2) by striking ''notifies the Secretary'' and inserting ''notifies the Secretary of State''.

SEC. 3707. REFORM OF PASSPORT, VISA, AND IMMIGRATION FRAUD OFFENSES.

(a) TRAFFICKING IN PASSPORTS.—Section 1541 of title 18, United States Code, is amended to read as follows:

''§ 1541. Issuance of passports without authority

''(a) IN GENERA.—Subject to subsection (b), any person who knowingly—

''(1) and without lawful authority produces, issues, or transfers a passport;

''(2) forges, counterfeits, alters, or falsely makes a passport;

''(3) secures, possesses, uses, receives, buys, sells, or distributes a passport, knowing the passport to be forged, counterfeited, altered, falsely made, stolen, procured by fraud, or produced or issued without lawful authority; or

''(4) completes, mails, prepares, presents, signs, or submits an application for a United States passport, knowing the application to contain any materially false statement or representation,

shall be fined under this title, imprisoned not more than 20 years, or both.

''(b) USE IN A TERRORISM OFFENSE.—Any person who commits an offense described in subsection (a) to facilitate an act of international terrorism (as defined in section 2331) shall be fined under this title, imprisoned not more than 25 years, or both.

''(c) PASSPORT MATERIALS.—Any person who knowingly and without lawful authority produces, buys, sells, possesses, or uses any official material (or counterfeit of any official material) to make a passport, including any distinctive paper, seal, hologram, image, text, symbol, stamp, engraving, or plate, shall be fined under this title, imprisoned not more than 20 years, or both.''.

(b) FALSE STATEMENT IN AN APPLICATION FOR A PASSPORTS.—Section 1542 of title 18, United States Code, is amended to read as follows:

''§ 1542. False statement in an application for a passport

''(a) IN GENERAL.—Any person who—

''(1) knowingly makes any false statement or representation in an application for a United States passport, or mails, prepares, presents, or signs an application for a United States passport knowing the application to contain any false statement or representation and with intent to induce or secure the issuance of a passport under the authority of the United States, either for the person's own use or the use of another, contrary to the laws regulating the issuance of passports or the rules prescribed pursuant to such laws; or

''(2) knowingly uses or attempts to use, or furnishes to another for use, any passport the issuance of which was secured in any way by reason of any false statement,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)), or 15 years (in the case of any other offense), or both.

''(b) VENUE.—

''(1) IN GENERAL.—An offense under subsection (a) may be prosecuted in any district—

''(A) in which the false statement or representation was made or the application for a United States passport was prepared or signed; or

''(B) in which or to which the application was mailed or presented.

''(2) OFFENSES OUTSIDE THE UNITED STATES.—An offense under subsection (a) involving an application prepared and adjudicated outside the United States may be prosecuted in the district in which the resultant passport was or would have been produced.

''(c) SAVINGS CLAUSE.—Nothing in this section may be construed to limit the venue otherwise available under sections 3237 and 3238 of this title.''.

(c) MISUSE OF A PASSPORT.—Section 1544 of title 18, United States Code, is amended to read as follows:

''§ 1544. Misuse of a passport

''Any person who knowingly—

''(1) uses or attempts to use any passport issued or designed for the use of another;

''(2) uses or attempts to use any passport in violation of the conditions and restrictions specified in the passport or any rules or regulations prescribed pursuant to the laws regulating the issuance of passports; or

''(3) secures, possesses, uses, receives, buys, sells, or distributes any passport knowing the passport to be forged, counterfeited, altered, falsely made, procured by fraud, or produced or issued without lawful authority,

shall be fined under this title, imprisoned not more than 25 years (if the offense was committed to facilitate an act of international terrorism (as defined in section 2331 of this title)), 20 years (if the offense was committed to facilitate a drug trafficking crime (as defined in section 929(a) of this title)) or 15 years (in the case of any other offense), or both.''.

(d) SCHEMES TO PROVIDE FRAUDULENT IMMIGRATION SERVICES.—Section 1545 of title 18, United States Code, is amended to read as follows:

''§ 1545. Schemes to provide fraudulent immigration services

''(a) IN GENERAL.—Any person who knowingly executes a scheme or artifice, in connection with any matter that is authorized by or arises under any Federal immigration law or any matter the offender claims or represents is authorized by or arises under any Federal immigration law, to—

''(1) defraud any person; or

''(2) obtain or receive money or anything else of value from any person by means of false or fraudulent pretenses, representations, or promises,

shall be fined under this title, imprisoned not more than 10 years, or both.

''(b) MISREPRESENTATION.—Any person who knowingly and falsely represents that such person is an attorney or an accredited representative (as that term is defined in section 1292.1 of title 8, Code of Federal Regulations (or any successor regulation)) in any matter arising under any Federal immigration law shall be fined under this title, imprisoned not more than 15 years, or both.''.

(e) IMMIGRATION AND VISA FRAUD.—Section 1546 of title 18, United States Code, is amended by amending the section heading to read as follows:

''§ 1546. Immigration and visa fraud''.

(f) ALTERNATIVE IMPRISONMENT MAXIMUM FOR CERTAIN OFFENSES.—Section 1547 of title 18, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking ''(other than an offense under section 1545)'';

(2) in paragraph (1), by striking ''15'' and inserting ''20''; and

(3) in paragraph (2), by striking ''20'' and inserting ''25''.

(g) AUTHORIZED LAW ENFORCEMENT ACTIVITIES.—Chapter 75 of title 18, United States Code, is amended by adding after section 1547 the following:

''§ 1548. Authorized law enforcement activities

''Nothing in this chapter may be construed to prohibit—

''(1) any lawfully authorized investigative, protective, or intelligence activity of a law enforcement agency of the United States, a State, or a political subdivision of a State, or an intelligence agency of the United States; or

''(2) any activity authorized under title V of the Organized Crime Control Act of 1970 (Public Law 91–452; 84 Stat. 933).''.

(h) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 75 of title 18, United States Code, is amended to read as follows:

''Sec.
''1541. Trafficking in passports.
''1542. False statement in an application for a passport.
''1543. Forgery or false use of a passport.
''1544. Misuse of a passport.
''1545. Schemes to provide fraudulent immigration services.
''1546. Immigration and visa fraud.
''1547. Alternative imprisonment maximum for certain offenses.
''1548. Authorized law enforcement activities.''.

SA 1302. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1572, beginning on line 23, strike ''abandonment, provided the alien served at least 1 year imprisonment for the crime, or provided the alien was convicted of offenses constituting more than 1 such crime, not arising out of a single scheme of criminal misconduct,'' and insert ''abandonment''.

On page 1574, lines 9 and 10, strike ''constitutes criminal contempt of'' and insert ''violates''.

SA 1303. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3717, relating to procedures for bond hearings and filing of notices to appear.

SA 1304. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1490, strike line 8 and all that follows through ''(d)'' on page 1491, line 4, and insert the following:

(a) IMMIGRATION COURT JUDGES.—The Attorney General may increase the total number of immigration judges to adjudicate current pending cases and process future cases, in a cost-effective manner, to the extent that such increase is consistent with the findings in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(b) NECESSARY SUPPORT STAFF FOR IMMIGRATION COURT JUDGES.—The Attorney General may address the shortage of support staff for immigration judges by ensuring that each immigration judge has the assistance of the necessary support staff to the extent recommended in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(c) ANNUAL INCREASES IN BOARD OF IMMIGRATION APPEALS PERSONNEL.—The Attorney General may increase the number of Board of Immigration Appeals staff attorneys and support staff to the extent that such increase is consistent with the findings in the report prepared by the Comptroller General of the United States pursuant to subsection (d).

(d) STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study of—

(A) the workload at the Executive Office for Immigration Review of the Department of Justice (referred to in this paragraph as the ''EOIR'') during the 1-year period beginning on the date of the enactment of this Act;

(B) the change in the workload at the EOIR from the 1-year period ending on the date of the enactment of this Act to the period described in subparagraph (A);

(C) the potential impact of this Act on the workload at the EOIR during the 15-year period beginning on the date of the enactment of this Act; and

(D) the number of judges, attorneys, and support staff needed at the EOIR to cost-effectively manage the workload described in subparagraph (A).

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives that contains the results of the study conducted under paragraph (1), including any staffing recommendations.

(e)

SA 1305. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1498, line 3, strike ''a 3-judge panel of''.

On page 1498, beginning on line 14, strike ''a written opinion.'' and all that follows through ''discretion.'' on line 21, and insert ''an opinion.''.

SA 1306. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1491, strike line 11 and all that follows through ''(d)'' on page 1494, line 18, and insert the following:

(a) APPOINTMENT OF COUNSEL FOR UNACCOMPANIED ALIEN CHILDREN AND ALIENS WITH A SERIOUS MENTAL DISABILITY.—Section 292 (8 U.S.C. 1362) is amended by adding at the end the following: ''The Attorney General may appoint counsel to represent an alien in a removal proceeding who has been determined by the Secretary to be an unaccompanied alien child or is incompetent to represent himself or herself due to a serious mental disability such that the appointment of counsel is necessary to help ensure fair resolution and efficient adjudication of the proceedings.''.

(b)

SA 1307. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1494, strike line 23 and all that follows through page 1496, line 25.

SA 1308. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VIRGIN ISLANDS VISA WAIVER PROGRAM.

(a) IN GENERAL.—Section 212(l) of the Immigration and Nationality Act (8 U.S.C. 1182(l)) is amended—

(1) by amending the subsection heading to read as follows: ''GUAM, NORTHERN MARIANA ISLANDS, AND VIRGIN ISLANDS VISA WAIVER PROGRAMS.—''; and

(2) by adding at the end the following:

''(7) VIRGIN ISLANDS VISA WAIVER PROGRAM.—

''(A) IN GENERAL.—The requirement of subsection (a)(7)(B)(i) may be waived by the Secretary of Homeland Security, in the case of an alien who is a national of a country described in subparagraph (B) and who is applying for admission as a nonimmigrant visitor for business or pleasure and solely for entry into and stay in the United States Virgin Islands for a period not to exceed 30 days, if the Secretary of Homeland Security, after consultation with the Secretary of the Interior, the Secretary of State, the Governor of the United States Virgin Islands, determines that such a waiver does not represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths.

''(B) COUNTRIES.—A country described in this subparagraph is a country that—

''(i) is a member or an associate member of the Caribbean Community (CARICOM); and

''(ii) is listed in the regulations described in subparagraph (D).

''(C) ALIEN WAIVER OF RIGHTS.—An alien may not be provided a waiver under this paragraph unless the alien has waived any right—

''(i) to review or appeal under this Act an immigration officer's determination as to the admissibility of the alien at the port of entry into the United States Virgin Islands; or

''(ii) to contest, other than on the basis of an application for withholding of removal under section 241(b)(3) of this Act or under the Convention Against Torture, or an application for asylum if permitted under section 208, any action for removal of the alien.

''(D) REGULATIONS.—All necessary regulations to implement this paragraph shall be promulgated by the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, on or before the date that is 1 year after the date of enactment of the Virgin Islands Visa Waiver Act of 2013. The promulgation of such regulations shall be considered a foreign affairs function for purposes of section 553(a) of title 5, United States Code. At a minimum, such regulations should include, but not necessarily be limited to—

''(i) a listing of all member or associate member countries of the Caribbean Community (CARICOM) whose nationals may obtain, on a country by country basis, the waiver provided by this paragraph, except that such regulations shall not provide for a listing of any country if the Secretary of Homeland Security determines that such country's inclusion on such list would represent a threat to the welfare, safety, or security of the United States or its territories and commonwealths; and

''(ii) any bonding requirements for nationals of some or all of those countries who may present an increased risk of overstays or other potential problems, if different from such requirements otherwise provided by law for nonimmigrant visitors.

''(E) FACTORS.—In determining whether to grant or continue providing the waiver under this paragraph to nationals of any country, the Secretary of Homeland Security, in consultation with the Secretary of the Interior and the Secretary of State, shall consider all factors that the Secretary deems relevant, including electronic travel authorizations, procedures for reporting lost and stolen passports, repatriation of aliens, rates of refusal for nonimmigrant visitor visas, overstays, exit systems, and information exchange.

''(F) SUSPENSION.—The Secretary of Homeland Security shall monitor the admission of nonimmigrant visitors to the United States Virgin Islands under this paragraph. If the Secretary determines that such admissions have resulted in an unacceptable number of visitors from a country remaining unlawfully in the United States Virgin Islands, unlawfully obtaining entry to other parts of the United States, or seeking withholding of removal or asylum, or that visitors from a country pose a risk to law enforcement or security interests of the United States Virgin Islands or of the United States (including the interest in the enforcement of the immigration laws of the United States), the Secretary shall suspend the admission of nationals of such country under this paragraph. The Secretary of Homeland Security may in the Secretary's discretion suspend the United States Virgin Islands visa waiver program at any time, on a country-by-country basis, for other good cause.

''(G) ADDITION OF COUNTRIES.—The Governor of the United States Virgin Islands may request the Secretary of the Interior and the Secretary of Homeland Security to add a particular country to the list of countries whose nationals may obtain the waiver provided by this paragraph, and the Secretary of Homeland Security may grant such request after consultation with the Secretary of the Interior and the Secretary of State, and may promulgate regulations with respect to the inclusion of that country and any special requirements the Secretary of Homeland Security, in the Secretary's sole discretion, may impose prior to allowing nationals of that country to obtain the waiver provided by this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) DOCUMENTATION REQUIREMENTS.—Section 212(a)(7)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(7)(iii)) is amended to read as follows:

''(iii) SPECIAL VISA WAIVER PROGRAMS.—For a provision authorizing waiver of clause (i) in the case of visitors to Guam, the Commonwealth of the Northern Mariana Islands, or the United States Virgin Islands, see subsection (l).''.

(2) ADMISSION OF NONIMMIGRANTS.—Section 214(a)(1) of such Act (8 U.S.C. 1184(a)(1)) is amended by inserting before the final sentence the following: ''No alien admitted to the United States Virgin Islands without a visa pursuant to section 212(l)(7) may be authorized to enter or stay in the United States other than in United States Virgin Islands or to remain in the United States Virgin Islands for a period exceeding 30 days from date of admission to the United States Virgin Islands.''.

SA 1309. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1740, between lines 14 and 15, insert the following:

(c) ARTISTS PERFORMING SPECIALIZED OR UNIQUE SKILLS IN SUPPORT OF AMERICAN CREATIVE INDUSTRIES.—Section 101(a)(15)(P) (8 U.S.C. 1101(a)(15)(P)) is amended—

(1) in clause (iii), by striking ''or'' at the end;

(2) by redesignating clause (iv) as clause (v);

(3) by inserting after clause (iii) the following:

''(iv) performs work that requires the attainment of specialized or unique skills within the arts or creative industries to be performed solely for an American firm or corporation engaged in whole or in part in the development of foreign trade and commerce of the United States, which shall include the production or distribution of the arts for international display or distribution, including motion pictures or television productions; or''; and

(4) in clause (v) (as so redesignated) by striking ''or (iii)'' and inserting ''(iii), or (iv)''.

(d) EMPLOYMENT AUTHORIZATION FOR SPOUSES.—Section 214(e)(6) (42 U.S.C. 1184(e)(6)) is amended by inserting ''101(a)(15)(O), or 101(a)(15)(P)'' after ''101(a)(15)(E),''.

SA 1310. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1207, line 24, insert after ''equivalent'' the following: '', or who are required to submit health-care worker certificates pursuant to section 212(a)(5)(C) or certified statements pursuant to section 212(r),''.

On page 1824, between lines 14 and 15, insert the following:

''(iii) CERTIFIED HEALTH-CARE WORKERS.—An occupation for which an alien is required to have a health-care worker certificate pursuant to section 212(a)(5)(C) or certified statement pursuant to section 212(r) may not be an eligible occupation.

SA 1311. Mr. BROWN (for himself, Mr. GRASSLEY, Mr. MANCHIN, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1679, strike lines 12 through 17 and insert the following:

''(iii) has offered the job to any United States worker who applies and is equally or better qualified for the job for which the nonimmigrant or nonimmigrants is or are sought.''.

SA 1312. Mr. SANDERS (for himself and Ms. STABENOW) submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1920, after line 13, add the following:

TITLE V—JOBS FOR YOUTH

SEC. 5101. DEFINITIONS.

In this title:

(1) CHIEF ELECTED OFFICIAL.—The term ''chief elected official'' means the chief elected executive officer of a unit of local government in a local workforce investment area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 117(c)(1)(B) of the Workforce Investment Act of 1998 (29 U.S.C. 2832(c)(1)(B)).

(2) LOCAL WORKFORCE INVESTMENT AREA.—The term ''local workforce investment area'' means such area designated under section 116 of the Workforce Investment Act of 1998 (29 U.S.C. 2831).

(3) LOCAL WORKFORCE INVESTMENT BOARD.—The term ''local workforce investment board'' means such board established under section 117 of the Workforce Investment Act of 1998 (29 U.S.C. 2832).

(4) LOW-INCOME YOUTH.—The term ''low-income youth'' means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 101(25) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(25)), except that States and local workforce investment areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 5103; and

(C) is in one or more of the categories specified in section 101(13)(C) of the Workforce Investment Act of 1998 (29 U.S.C. 2801(13)(C)).

(5) POVERTY LINE.—The term ''poverty line'' means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) STATE.—The term ''State'' means each of the several States of the United States, and the District of Columbia.

SEC. 5102. ESTABLISHMENT OF YOUTH JOBS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Youth Jobs Fund (referred to in this title as ''the Fund'').

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated $1,500,000,000 for fiscal year 2014, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this title.

(c) AVAILABILITY OF FUNDS.—Of the amounts deposited into the Fund under subsection (b), the Secretary of Labor shall allocate $1,500,000,000 to provide summer and year-round employment opportunities to low-income youth in accordance with section 5103 .

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this title shall be available for obligation by the Secretary of Labor until December 31, 2014, and shall be available for expenditure by grantees (including subgrantees) until September 30, 2015.

SEC. 5103. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 5102(c), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan approved under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822) (referred to in this section as a ''State plan modification'') (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d) and recipient under section 166(c) of the Workforce Investment Act of 1998 (29 U.S.C. 2911(c)) (referred to in this section as a ''Native American grantee'') that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans approved under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833) (referred to individually in this section as a ''local plan modification''), or for such other forms of requests for funds by local workforce investment areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this title, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles B and E of title I of the Workforce Investment Act of 1998 (29 U.S.C. 2811 et seq., 2911 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to ½ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) 33⅓ percent on the basis of the relative number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in each State, compared to the total number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in all States;

(ii) 33⅓ percent on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

(iii) 33⅓ on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (1) shall be allocated to States that receive approval of State plan modifications or requests specified in the guidance. Each such State shall receive a share of the total amount available for reallotment under this paragraph, in accordance with the State's share of the total amount allotted under paragraph (1) to such State.

(4) DEFINITIONS.—For purposes of paragraph (2), the term ''disadvantaged young adult or youth'' means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(A) the poverty line; or

(B) 70 percent of the lower living standard income level.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 5101(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 5104(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 5104(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) within 30 days after submission, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination within that 30-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 30 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local workforce investment areas within the State in accordance with clauses (i) through (iii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local workforce investment area and references to all States shall be deemed to be references to all local workforce investment areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local workforce investment board, in partnership with the chief elected official for the local workforce investment area involved, shall submit to the Governor a local plan modification, or such other request for funds by local workforce investment areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) within 30 days after submission, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local workforce investment area within 30 days after such approval.

(3) REALLOCATION.—If a local workforce investment board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan, the amount the local workforce investment area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local workforce investment areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local workforce investment area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local workforce investment areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or

child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Investment Act of 1998 (29 U.S.C. 2854), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local workforce investment area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this title as an ''industry-recognized credential'').

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local workforce investment area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871), States and local workforce investment areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 5104(b)(5).

SEC. 5104. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this title shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Investment Act of 1998 (29 U.S.C. 2931) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 2938), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this title. At a minimum, recipients of grants (including recipients of subgrants) under this title shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this title and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this title;

(3) the number of jobs created pursuant to the activities carried out under this title;

(4) the demographic characteristics of individuals participating in activities under this title; and

(5) the performance outcomes for individuals participating in activities under this title, including—

(A) for low-income youth participating in summer employment activities under section 5103, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist;

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment; and

(B) for low-income youth participating in year-round employment activities under section 5103, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this title shall only be used for activities that are in addition to activities that would otherwise be available in the State or local workforce investment area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this title.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

SEC. 5105. VISA SURCHARGE.

(a) COLLECTION.—

(1) IN GENERAL.—Subject to paragraph (2), and in addition to any fees otherwise imposed for such visas, the Secretary shall collect a surcharge of $10 from an employer that submits an application for—

(A) an employment-based visa under paragraph (3), (4), (5), or (6) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)); and

(B) a nonimmigrant visa under subparagraph (C), (H)(i)(b), (H)(i)(c), (H)(ii)(a), (H)(ii)(B), (O), (P), (R), or (W) of section 101(a)(15) of such Act (8 U.S.C. 1101(a)(15)).

(2) EXPIRATION.—The Secretary shall suspend the collection of the surcharge authorized under paragraph (1) on the date on which the Secretary has collected a cumulative total of $1,500,000,000 under this subsection.

(b) DEPOSIT.—All of the amounts collected under subsection (a)(1) shall be deposited in the general fund of the Treasury.

SA 1313. Mr. SANDERS submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

On page 1743, strike lines 1 through 4, and insert the following:

SEC. 44081. J VISA ELIGIBILITY.

(a) SPEAKERS OF CERTAIN FOREIGN LANGUAGES.—Section 101(a)(15)(J) (8 U.S.C. 1101(a)(15)(J)) is amended to read as follows:

On page 1744, between lines 16 and 17, insert the following:

(c) REFORM OF SUMMER WORK TRAVEL PROGRAM.—

(1) PROHIBITION ON EMPLOYMENT.—Notwithstanding any other provision of law or regulation, including section 62.32 of title 22, Code of Federal Regulations, the Secretary of State may not implement the Summer Work Travel program described in such section 62.32 in a manner that permits an alien who is admitted under section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)), as amended by subsection (a), as part of a cultural exchange to be employed in the United States.

(2) REGULATIONS.—The Secretary of State shall issue regulations that modify the Summer Work Travel program so that such program—

(A) permits cultural exchanges as described in such section 62.32; and

(B) does not permit participants to be employed in the United States.

SA 1314. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 744, to provide for comprehensive immigration reform and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIREMENTS TO ENSURE LEGAL VOTING.

(a) SHORT TITLE.—This section may be cited as the ''Secure the Vote Act of 2013''.

(b) RESTRICTIONS.—

(1) AFFIDAVIT REQUIRED.—Any individual in registered provisional immigrant status, blue card status, asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who intends to remain in the United States in such status for longer than 6 months shall submit to the Secretary, during the period specified by the Secretary, a signed affidavit that states that the alien—

(A) has not cast a ballot in any Federal election in the United States; and

(B) will not register to vote, or cast a ballot, in any Federal election in the United States while in such status.

(2) PENALTY.—If an alien described in paragraph (1) fails to timely submit the affidavit described in paragraph (1) or violates any term of such affidavit—

(A) the Secretary shall immediately—

(i) revoke the legal status of such alien; and

(ii) deport the alien to the country from which he or she originated; and

(B) the alien will be permanently ineligible for United States citizenship.

(3) BARS TO LEGAL STATUS.—Any individual in registered provisional immigrant status, blue card status, asylum status, refugee status, legal permanent resident status, or any other permanent or temporary visa status who illegally registers to vote or who votes in any Federal election after receiving such status or visa—

(A) shall not be eligible to apply for permanent residence or citizenship; and

(B) if such individual has already been granted permanent residence, shall lose such status and be subject to deportation pursuant to section 237(a)(6) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(6)).

(c) RESPONSIBILITIES OF THE SECRETARY OF HOMELAND SECURITY.—

(1) ELIGIBILITY DETERMINATION.—In determining whether an individual described in subsection (a)(1) is eligible for legal status, including naturalization, under the Immigration and Nationality Act, the Secretary shall verify that the alien has not registered to vote, or cast a ballot, in a Federal election in the United States.

(2) VERIFICATION OF CITIZENSHIP.—The Secretary shall provide the election director of each State, and such local election officials as may be designated by such State directors, with access to relevant databases containing information about aliens who have been granted registered provisional immigrant status, asylum, refugee status, blue card status, and any other permanent or temporary visa status authorized under this Act or the Immigration and Nationality Act, for the sole purpose of verifying the citizenship status of registered voters and all individuals applying to register to vote.

(3) ANNUAL REPORT.—The Secretary shall submit an annual report to Congress that identifies all jurisdictions in the United States that have registered individuals who are not United States citizens to vote in a Federal election.

(d) RESPONSIBILITIES OF STATES.—

(1) PROOF OF CITIZENSHIP.—Notwithstanding the Voting Rights Act of 1965 (42

U.S.C. 1973 et seq.), the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), and any other Federal law, all States and local governments—

(A) shall require individuals registering to vote in Federal elections to provide adequate proof of citizenship;

(B) may not accept an affirmation of citizenship as adequate proof of citizenship for voter registration purposes; and

(C) may require identification information from all such voter registration applicants.

(2) COOPERATION WITH DEPARTMENT OF HOMELAND SECURITY.—All States and local governments shall provide the Department with the registration and voting history of any alien seeking registered provisional status, naturalization, or any other immigration benefit, upon the request of the Secretary.

(3) CONSEQUENCE OF NONCOMPLIANCE.—

(A) FIRST YEAR.—If any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1) on or before the date that is 1 year after the date of the enactment of this Act, the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by 10 percent.

(B) SUBSEQUENT YEARS.—For each subsequent year in which any State is not in compliance with the proof of citizenship requirements set forth in paragraph (1), the Secretary of Transportation shall reduce the apportionment calculated under section 104(c) of title 23, United States Code, for that State for the following fiscal year by an additional 10 percent.

SA 1315. Mr. KING (for Mr. GRASSLEY) proposed an amendment to the bill S. 330, to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV); as follows:

Strike section 3 and insert the following:

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122(a) of title 18, United States Code, is amended by inserting ''or in accordance with all applicable guidelines and regulations made by the Secretary of Health and Human Services under section 377E of the Public Health Service Act'' after ''research or testing''.

NOTICES OF HEARINGS

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will meet on June 17, 2013, at 5:30 p.m. in the Mansfield Room of the Capitol (S–207) to hold a markup on Committee legislation.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. LANDRIEU. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will meet on Thursday, June 20, 2013, at 10 a.m. in room 428A Russell Senate Office building to hold a roundtable entitled ''Sequestration: Small Business Contractors Weathering the Storm in a Climate of Fiscal Uncertainty.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. DURBIN. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate on June 17, 2013, at 5:30 p.m. in the Mansfield Room, S–207 of the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

HIV ORGAN POLICY EQUITY ACT

Mr. KING. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 75, S. 330.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 330) to amend the Public Health Service Act to establish safeguards and standards for research and transplantation of organs infected with human immunodeficiency virus (HIV).

There being no objection, the Senate proceeded to consider the bill (S. 330) to amend the Public Health Service Act to establish safeguards and standards of quality for research and transplantation of organs infected with human immunodeficiency virus (HIV), which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''HIV Organ Policy Equity Act''.

SEC. 2. AMENDMENTS TO THE PUBLIC HEALTH SERVICE ACT.

(a) STANDARDS OF QUALITY FOR THE ACQUISITION AND TRANSPORTATION OF DONATED ORGANS.—

(1) ORGAN PROCUREMENT AND TRANSPLANTATION NETWORK.—Section 372(b) of the Public Health Service Act (42 U.S.C. 274(b)) is amended—

(A) in paragraph (2)(E), by striking '', including standards for preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome''; and

(B) by adding at the end the following:

''(3) CLARIFICATION.—In adopting and using standards of quality under paragraph (2)(E), the Organ Procurement and Transplantation Network may adopt and use such standards with respect to organs infected with human immunodeficiency virus (in this paragraph referred to as 'HIV'), provided that any such standards ensure that organs infected with HIV may be transplanted only into individuals who—

''(A) are infected with HIV before receiving such organ; and

''(B)(i) are participating in clinical research approved by an institutional review board under the criteria, standards, and regulations described in subsections (a) and (b) of section 377E; or

''(ii) if the Secretary has determined under section 377E(c) that participation in such clinical research, as a requirement for such transplants, is no longer warranted, are receiving a transplant under the standards and regulations under section 377E(c).''.

(2) CONFORMING AMENDMENT.—Section 371(b)(3)(C) of the Public Health Service Act (42 U.S.C. 273(b)(3)(C); relating to organ procurement organizations) is amended by striking ''including arranging for testing with respect to preventing the acquisition of organs that are infected with the etiologic agent for acquired immune deficiency syndrome'' and inserting ''including arranging for testing with respect to identifying organs that are infected with human immunodeficiency virus (HIV)''.

(3) TECHNICAL AMENDMENTS.—Section 371(b)(1) of the Public Health Service Act (42 U.S.C. 273(b)(1)) is amended by—

(A) striking subparagraph (E);

(B) redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(C) striking ''(H) has a director'' and inserting ''(G) has a director''; and

(D) in subparagraph (H)—

(i) in clause (i) (V), by striking ''paragraph (2)(G)'' and inserting ''paragraph (3)(G)''; and

(ii) in clause (ii), by striking ''paragraph (2)'' and inserting ''paragraph (3)''.

(b) PUBLICATION OF RESEARCH GUIDELINES.—Part H of title III of the Public Health Service Act (42 U.S.C. 273 et seq.) is amended by inserting after section 377D the following:

''SEC. 377E. CRITERIA, STANDARDS, AND REGULATIONS WITH RESPECT TO ORGANS INFECTED WITH HIV.

''(a) IN GENERAL.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, the Secretary shall develop and publish criteria for the conduct of research relating to transplantation of organs from donors infected with human immunodeficiency virus (in this section referred to as 'HIV') into individuals who are infected with HIV before receiving such organ.

''(b) CORRESPONDING CHANGES TO STANDARDS AND REGULATIONS APPLICABLE TO RESEARCH.—Not later than 2 years after the date of the enactment of the HIV Organ Policy Equity Act, to the extent determined by the Secretary to be necessary to allow the conduct of research in accordance with the criteria developed under subsection (a)—

''(1) the Organ Procurement and Transplantation Network shall revise the standards of quality adopted under section 372(b)(2)(E); and

''(2) the Secretary shall revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).

''(c) REVISION OF STANDARDS AND REGULATIONS GENERALLY.—Not later than 4 years after the date of the enactment of the HIV Organ Policy Equity Act, and annually thereafter, the Secretary, shall—

''(1) review the results of scientific research in conjunction with the Organ Procurement and Transplantation Network to determine whether the results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to the safety of transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV;

''(2) if the Secretary determines under paragraph (1) that such results warrant revision of the standards of quality adopted under section 372(b)(2)(E) with respect to donated organs infected with HIV and with respect to transplanting an organ with a particular strain of HIV into a recipient with a different strain of HIV, direct the Organ Procurement and Transplantation Network to revise such standards, consistent with section 372 and in a way that ensures the changes will not reduce the safety of organ transplantation; and

''(3) in conjunction with any revision of such standards under paragraph (2), revise section 121.6 of title 42, Code of Federal Regulations (or any successor regulations).''.

SEC. 3. CONFORMING AMENDMENT TO TITLE 18 OF THE UNITED STATES CODE.

Section 1122 of title 18, United States Code, is amended by adding at the end the following:

''(d) EXCEPTION.—An organ donation does not violate this section if the donation is in accordance with all applicable criteria and regulations