IMMIGRATION LEGISLATION IN THE CURRENT SESSION OF CONGRESS

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In the current session of Congress, more than six hundred pieces of legislation have proposed changes in U.S. immigration policy, though the majority of such proposals have called for immigration restrictions. The bills listed in this appendix offer a representative sampling of the proposals to lift restrictions on immigration. In each case, the descriptive paragraph is provided by the Congressional Research Service summary, available at www.congress.gov.

*9/11 Immigrant Worker Freedom Act. H.R. 3250.* Sponsor: Joseph Crowley of New York. This bill authorizes the Department of Homeland Security (DHS) to adjust to permanent resident the status a qualifying alien who applies for adjustment not later than one year after enactment of this bill and who, after the September 11, 2011, terrorist attacks: worked or volunteered on site in rescue, recovery, debris cleanup or related support services in lower Manhattan, the Staten Island Landfill or the barge loading piers for a specified number of hours during certain periods between September 11, 2001, and July 31, 2002; was a vehicle-maintenance worker who was exposed to debris from the former World Trade Center while retrieving, driving, cleaning, repairing and maintaining vehicles contaminated by airborne toxins for any time during such period or was a member of a fire or police department, worked for a recovery or cleanup contractor or was a volunteer and performed rescue, recovery, demolition, debris cleanup or other related services at the Pentagon site during the period between September 11, 2001 and November 19, 2001 or at the Shanksville, Pennsylvania, site during the period between September 11, 2001-October 3, 2001.

*Agricultural Worker Program Act of 2017. S. 1034.* Sponsor: Dianne Feinstein of California. This bill authorizes the Department of Homeland Security (DHS) to confer blue card status upon an alien who: (1) has performed specified periods of U.S. agricultural employment or is a qualifying alien’s spouse or child and (2) has been physically present in the United States for a qualifying period.

*American Dream Promise Act. H.R. 2071.* Sponsor: Marc Veasey of Texas. This bill amends title IV (Student Assistance) of the Higher Education Act of 1965 to modify the eligibility requirements for an institution of higher education (IHE) to participate in federal student aid programs. Specifically, an IHE that participates in title IV federal student aid programs must not deny admission to a student on the basis of that student’s immigration or naturalization status.

*American Hope Act of 2017. H.R. 3591.* Sponsor: Luis Gutierrez of Illinois. This bill amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to allow a state to extend higher-education benefits to state residents regardless of whether they are lawfully present in the United States. In addition, the bill requires the Department of Homeland Security (DHS) to cancel the removal, and adjust the status, of certain residents who entered the United States as children prior to 2017. An individual whose status has been so adjusted shall be considered to have obtained conditional permanent-resident status, valid for a period of eight years and subject to termination on the basis of specified deportable conduct.

*Child Citizen Protection Act. H.R. 2508.* Sponsor: Jose Serrano of New York. This bill amends the Immigration and Nationality Act, in the case of an alien subject to removal, deportation or exclusion and who is the parent of a U.S. citizen child, to authorize an immigration judge to decline to order such removal if the judge determines that action to be against the child’s best interests.

*Dream Act of 2017. S. 1615.* Sponsor: Lindsey Graham of South Carolina. This bill directs the Department of Homeland Security (DHS) to cancel removal and grant lawful permanent resident status on a conditional basis to an alien who is inadmissible or deportable or is in temporary protected status who: (1) has been continuously physically present in the United States for four years preceding this bill’s enactment; (2) was younger than 18 years of age on the initial date of U.S. entry; (3) is not inadmissible on criminal, security, terrorism or other grounds; (4) has not participated in persecution; (5) has not been convicted of specified federal or state offenses and (6) has fulfilled specified educational requirements. DHS shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who was granted Deferred Action for Childhood Arrivals (DACA) status unless the alien has engaged in conduct that would make the alien ineligible for DACA.

*DREAMer Information Protection Act. H.R. 532.* Sponsor: Beto O’Rourke of Texas. This bill: (1) prohibits information provided by an applicant for deferred action under the Department of Homeland Security’s Deferred Action for Childhood Arrivals program from being used for the purpose of immigration enforcement proceedings and (2) shall take effect as if enacted on January 19, 2017.

*DREAMers, Immigrants and Refugees (DIRe) Legal Aid Act. H.R. 858.* Sponsor: J. Luis Correa of California. This bill directs the Department of Justice to make grants to nonprofit legal services providers with immigration law expertise to provide immigration-related legal services and advice to an alien who: (1) is present in the United States as a lawful permanent resident; (2) has received a grant of deferred action under the Deferred Action for Childhood Arrivals program, has been admitted as a refugee (or the alien’s spouse or parent has been so admitted), or has been determined to be qualified for such admission and (3) has been ordered removed, is in removal proceedings or is at risk of being denied U.S. entry or admission. The Department of Homeland Security shall provide such aliens: (1) with provider contact information and (2) if in detention, with an opportunity to arrange representation by such a provider.

*Fair Day in Court for Kids Act of 2017. H.R. 20143.* Sponsor: Zoe Lofgren of California. This bill amends the Immigration and Nationality Act (INA) authorize the Department of Justice (DOJ) to appoint or provide counsel at government expense to aliens in removal proceedings.

*Fairness for High-Skilled Immigrants Act of 2017. S. 181.* Sponsor: Mike Lee of Utah. This bill amends the Immigration and Nationality Act to: (1) eliminate the per country numerical limitation for employment-based immigrants and (2) increase the per country numerical limitation for family based immigrants from 7% to 15% of the total number of family-sponsored visas. The Chinese Student Protection Act of 1992 is amended to eliminate the provision requiring the reduction of annual Chinese immigrant visas to offset status adjustments under such Act.

*Filipino Veterans Family Reunification Act of 2017. H.R. 2635.* Sponsor: Colleen Hanabusa of Hawaii. This bill amends the Immigration and Nationality Act to exempt from worldwide or numerical limitations on immigrant visas the sons and daughters of Filipino World War II veterans who were naturalized under the Immigration Act of 1990 or other specified federal law.

*Freedom for Refugees Escaping Enmity (FREE) Act. H.R. 1075.* Sponsor: Yvette Clarke of New York. This bill nullifies Executive Order 13769, entitled “Protecting the Nation from Foreign Terrorist Entry into the United States.” No federal funds may be used to implement or enforce any of the policy changes set forth in such order. Among the order’s major provisions are restrictions on the entry of immigrants and nonimmigrants from seven countries (Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen) and additional limitations on refugee admissions to the United States.

*Freedom of Religion Act of 2017. H.R. 852.* Sponsor: Donald Beyer of Virginia. This bill amends the Immigration and Nationality Act to provide that an alien may not be denied U.S. entry, reentry or admission or any other immigration benefit because of the alien’s religion or lack of religious beliefs.

*Haiti Emergency Relief Act of 2017. H.R. 1014.* Sponsor: Yvette Clarke of New York. This bill extends 18-month temporary protected status to a national of Haiti who: (1) has been continuously physically present in the United States since November 4, 2016, (2) is admissible as an immigrant and not ineligible for temporary protected status and (3) registers for temporary protected status in a manner that the Department of Homeland Security (DHS) shall establish.

*High-Skilled Integrity and Fairness Act of 2017. H.R. 670.* Sponsor: Zoe Lofgren of California. This bill amends the Immigration and Nationality Act to: (1) eliminate the per-country limit for employment-based immigrant visas and (2) increase the limit for family sponsored visas.

*Immigrant Detainee Legal Rights Act. H.R. 913.* Sponsor: Bill Foster of Illinois. This bill directs the Department of Justice to: establish within the Executive Office for Immigration Review an Office of Legal Access Programs to administer a system of legal orientation programs to make immigration proceedings more efficient by educating aliens regarding administrative procedures and legal rights under U.S. immigration law and to establish other programs to assist in providing aliens access to legal information and submit a plan to Congress that includes a schedule to develop and deploy legal orientation programs for all detainees.

*Immigrant Veterans Eligibility Tracking System (I-VETS) Act. H.R. 2760.* Sponsor: Juan Vargas of California. This bill directs the Department of Homeland Security (DHS) to: identify aliens, when they apply for an immigration benefit or are placed in an immigration enforcement proceeding, who are serving, or have served, as a member of a regular or reserve component of the Armed Forces on active duty or as a member of a reserve component in an active status and annotate all DHS immigration and naturalization records relating to an identified alien to reflect such identification and afford an opportunity to track the outcomes for such aliens.

*Jobs in America Act. H.R. 2577.* Sponsor: Kyrsten Sinema of Arizona. This bill amends the Immigration and Nationality Act to establish an employment-based, conditional immigrant visa (StartUp visa) for a sponsored alien entrepreneur: (1) with required amounts of financial backing from a qualifying investor or venture capitalist and (2) whose commercial activities will generate required levels of employment, revenue or capital investment.

*Keeping Our Promise to Our Afghan Allies Act. H.R. 1544.* Sponsor: Adam Kinzinger of Illinois. This bill amends the Afghan Allies Protection Act of 2009 to increase from 8,500 to 11,000 the total number of visas available for the Afghan special immigrant visa program. Such program is for Afghan translators who worked with the U.S. government or Armed Forces.

*Liberian Refugee Immigration Fairness Act of 2018. H.R. 5072.* Sponsor: Keith Ellison of Minnesota. This bill directs the Department of Homeland Security to adjust to permanent resident status a qualifying Liberian national who: (1) has been continuously present in the United States between November 20, 2014, through the date of status adjustment application or (2) is the spouse, child or unmarried son or daughter of such an alien.

*No Taxpayer Funding for the Wall Act. H.R. 1477.* Sponsor: Gwen Moore of Wisconsin. This bill prohibits: (1) any federal agency from obligating or expending any federal funds to carry out provisions of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 regarding barriers at the border or any related provision of law or to otherwise build a border fence, wall or related physical barriers along the U.S. southern border and (2) a state from using federal grant funds for such purpose.

*Protect Victims of Crime Act. H.R. 4145.* Sponsor: Julia Brownley of California. This bill amends the Immigration and Nationality Act to increase from 10,000 to 40,000 the number of U visas (children who have been granted special immigrant status as a victim of criminal activity) that may be issued in a fiscal year.

*Protecting Allies from Visa Exclusion (PAVE) Act. H.R. 1263.* Sponsor: Peter Welch. This bill makes any executive order precluding issuance of visas to, revoking visas issued to, or precluding entry or admission of, a class or classes of aliens inapplicable to an alien who is a national of Iraq or Afghanistan and has been granted special immigrant status pursuant to: (1) the National Defense Authorization Act for Fiscal Year 2008, (2) the National Defense Authorization Act for Fiscal Year 2006 or (3) the Afghan Allies Protection Act of 2009.

*Protecting Immigrants From Legal Exploitation Act of 2017. H.R. 912.* Sponsor: Bill Foster of Illinois. This bill amends the federal criminal code to subject to a fine, imprisonment or both any individual who: (1) knowingly or recklessly executes a scheme in connection with any federal immigration law-related matter to defraud a person or to obtain money or anything else of value from a person by means of false or fraudulent pretenses, representations or promises or (2) knowingly and falsely represents that such individual is an attorney or an accredited representative in any federal immigration law-related matter.

*Protecting the Rights of Families and Immigrants Who Legally Entered from Detention Act or the PROFILED Act. S. 748.* Sponsor: Robert Menendez of New Jersey. This bill prohibits a law enforcement agent or agency from engaging in racial profiling. It creates a civil cause of action permitting declaratory or injunctive relief to enforce this ban on racial profiling. The Department of Justice shall issue regulations requiring law enforcement agencies to collect certain data relating to investigatory activities, including, but not limited to, collecting information on the race, ethnicity, national origin, gender and religion of persons subject to investigatory activities.

*Protecting the Rights Of Towns against Federal Enforcement contrary to Constitutional Tenets for Immigration Act of 2017 or the PROTECT Immigration Act of 2017. H.R. 1236.* Sponsor: Mike Quigley of Illinois. This bill amends the Immigration and Nationality Act to provide that the authority to inquire about or verify immigration or citizenship status and to investigate, apprehend, arrest or detain an individual for a violation of such Act is restricted to immigration officers and authorized employees of the Department of Homeland Security (DHS) and subject to limits set forth in other provisions of law. DHS authority to enter into written agreements with a state or state subdivision to perform immigration-related investigations, apprehensions or detentions of aliens in the United States is eliminated.

*Rescission of Executive Order. S. 668.* Sponsor: Thomas Carper of Delaware. This bill rescinds Executive Order 13767, entitled “Border Security and Immigration Enforcement Improvements,” effective as of January 25, 2017. Among the order’s provisions concerning border security and immigration enforcement along the southern border of the United States are directives concerning physical barriers, detention facilities, additional Border Patrol agents, requirements for reporting on foreign aid to Mexico and parole and asylum procedures.

*Rescission of State and Local Immigration Enforcement Authority. S. 303.* Sponsor: Senator Cory Booker of New Jersey. This bill amends the Immigration and Nationality Act to provide that the authority to inquire about or verify immigration or citizenship status and to investigate, apprehend, arrest or detain an individual for a violation of such Act is restricted to immigration officers and authorized employees of the Department of Homeland Security (DHS) and subject to limits set forth in other provisions of law. DHS authority to enter into written agreements with a state or state subdivision to perform immigration-related investigations, apprehensions or detentions of aliens in the United States is eliminated. The bill exempts from the restriction under this bill DOJ authority to enter into other state and local agreements: (1) in the event of an actual or imminent mass influx of aliens representing urgent circumstances and (2) with respect to immigration-related detentions in non-federal facilities, including personnel and facilities construction. The bill also exempts from such restriction state and local enforcement authority to arrest and detain certain previously-deported illegal aliens who have been convicted of a felony.

*Save America Comprehensive Immigration Act of 2017. H.R. 3647.* Sponsor: Sheila Jackson Lee of Texas. This bill amends the Immigration and Nationality Act to provide increased protections and eligibility for family-sponsored immigrants. The bill establishes: (1) the Board of Family-based Visa Appeals and (2) the Task Force to Rescue Immigrant Victims of American Sex Offenders. The bill sets forth provisions regarding: (1) the Border Patrol and other law enforcement officers, including regarding personnel increases; (2) status adjustment, including an adjustment for Haitians; (3) sex offenders; (4) unfair immigration-related employment practices; (5) removal proceedings, including for removal based om criminal offenses; (6) asylee and refugee proceedings and (7) naturalization. The Anti-Smuggling Unit within the Border Patrol is reestablished. The worldwide level of diversity immigrants is increased. Gender-based persecution is established as a grounds for refugee status.

*Save Christians from Genocide Act. H.R. 565.* Sponsor: Dana Rohrabacher of California. This bill recognizes that Christians and Yazidis in Iraq, Syria, Pakistan, Iran and Libya are targets of genocide. The Department of Homeland Security shall provide for expedited visa processing and shall ensure that such applications receive first priority among refugee and (family- or employment-based) immigrant applications for an alien who: is a citizen or national of Iraq, Syria, Pakistan, Iran or Libya, or in the case of an alien having no nationality, whose country of last habitual residence was Iraq, Syria, Pakistan, Iran or Libya; is a Christian or Yazidi and is seeking refugee or immigrant admission to the United States.

*Stopping Trained in America Ph.D.s From Leaving the Economy Act of 2017 or the STAPLE Act. H.R. 2717.* Sponsor: Erik Paulsen. This bill amends the Immigration and Nationality Act to exempt from: (1) direct numerical limitations aliens who have earned a Ph.D. degree in science, technology, engineering or mathematics (STEM) from a U.S. institution of higher education and who have an offer of employment from a U.S. employer in a field related to such degree and (2) H-1B visa (specialty occupation) numerical limitations aliens who have a U.S. STEM Ph.D. and with respect to whom the petitioning employer requires such an education.

*Support and Defend Our Military Personnel and Their Families Act. H.R. 2346.* Sponsor: Mike Thompson of California. An alien who is eligible for a family-sponsored immigrant visa and is either the spouse or child of a permanent resident alien who is serving in the Armed Forces shall be exempt from worldwide immigrant visa numerical limitations. The Department of Homeland Security (DHS) may adjust to permanent resident status an alien who is a parent, spouse, child, son or daughter or minor sibling of a person who is serving or has served in the Armed Forces under honorable conditions. The bill permits posthumous benefits under specified circumstances.

*Uniting and Securing America Act of 2018 or the USA Act of 2018. S. 2367.* Sponsor: Christopher Coons of Delaware. This bill provides conditional permanent resident status for an alien meeting specified requirements, including having entered the United States when younger than 18 years old and residing in the United States since December 31, 2013.