AMENDMENT NO. 1353

Purpose: To increase public safety by denying registered provisional immigrant status to any alien who would otherwise be ineligible for admission under current immigration law.

IN THE UNITED STATES HOUSE OF REPRESENTATIVES

AMENDMENT NO. 1353

By Coburn

To provide

Referred to:

S. 744

AMENDMENT intended to be proposed by Mr. COBURN

Viz:

1. Beginning on page 946, strike line 15 and all that follows through "(5)" on page 950, line 1 and insert the following:

   "(ii) is inadmissible under section 212(a);

   (iii) is an alien who the Secretary knows or has reasonable grounds to believe, is engaged in or is likely to engage after entry in any terrorist activity (as defined in section 212(a)(3)(B)(iv)); or

   (iv) was, on April 16, 2013—
“(I) an alien lawfully admitted for permanent residence;

“(II) an alien admitted as a refugee under section 207 or granted asylum under section 208; or

“(III) an alien who, according to the records of the Secretary or the Secretary of State, is lawfully present in the United States in any non-immigrant status (other than an alien considered to be a nonimmigrant solely due to the application of section 244(f)(4) or the amendment made by section 702 of the Consolidated Natural Resources Act of 2008 (Public Law 110–229)), notwithstanding any unauthorized employment or other violation of nonimmigrant status.

“(B) WAIVER.—The Secretary may waive the application of subparagraph (A)(i)(III) on behalf of an alien for humanitarian purposes, to ensure family unity, or if such a waiver is otherwise in the public interest. Any discretionary authority to waive grounds of inadmissibility under section 212(a) conferred under any other
provision of this Act shall apply equally to aliens seeking registered provisional status under this section.

"(C) CONVICTION EXPLAINED.—For purposes of this paragraph, the term conviction does not include a judgment that has been expunged, set aside, or the equivalent.

"(D) RULE OF CONSTRUCTION.—Nothing in this paragraph may be construed to require the Secretary to commence removal proceedings against an alien.

"(5)