

August 2010

Immigration Solutions From Members of the RSC



The Republican Study Committee has become known as a fountain of robust, forward-thinking ideas and bold action. Continuously on the forefront of crafting positive, problem-solving solutions, RSC Members have introduced no fewer than 39 immigration bills so far in the 111th Congress. This document summarizes each of those bills.

This document is for informational purposes only and may not be exhaustive. If we have left a bill off, it was purely an accidental oversight. Please contact us to let us know. The RSC does not necessarily endorse every bill listed here.

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H.R. 373 – To amend the Immigration and Nationality Act to render inadmissible and deportable certain aliens convicted of drunk driving (Flake, R-AZ)

Introduced: January 9, 2009

Summary: H.R. 373 would amend the Immigration and Nationality Act to prohibit aliens from entering the country and would consider them deportable if they have been convicted of 3 offenses for driving under the influence, and at least 1 of the offenses was a felony under federal or state law in which they were sentenced to more than 1 year imprisonment.

This legislation would not allow the court to accept a guilty plea for driving under the influence unless the alien has been advised that conviction for driving under the influence, including conviction by entry of any plea, even if the conviction is later expunged, may result in deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 588 – 10K Run for the Border Act (Myrick, R-NC)

Introduced: January 15, 2009

Summary: The 10K Run for the Border Act would increase fines on employers who knowingly hire illegal aliens to a minimum of \$10,000 per offense. Under this legislation, 80% of the additional amounts of fines would be redirected to states and local governments where violations occur to offset costs of incarcerating criminal illegal aliens.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 589 – Securing the Homeland Through Agency Reporting Enhancement Act (Myrick, R-NC)

Introduced: January 15, 2009

Summary: This bill will require the Social Security Administration (SSA) to notify the Department of Homeland Security (DHS) when an employer is sent notification of an employee's Social Security number discrepancy. For years employers have been able to hire unauthorized workers without fear of repercussion, a direct result of the federal government's lax enforcement. Unauthorized workers have taken advantage of the current situation by using fraudulent documents for employment verification. Currently, the SSA notifies employers of discrepancies found in employee wage records should an employee's Social Security number not match any records maintained by the SSA. While wage record discrepancies are often the result of clerical error, it is not at all uncommon for illegal immigrants to use Social Security numbers for employment verification that are non-existent or obtained by fraudulent means. Currently, DHS is not informed by the SSA when an employer receives notification of inconsistencies in an employee's Social Security number.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 878 – Nuclear Family Priority Act (Gingrey, R-GA)

Introduced: February 4, 2009

Summary: The Nuclear Family Priority Act eliminates extended family categories far beyond the original immigrant (adult brothers and sisters, unmarried adult children, married adult children); it therefore ends chain migration.

The Act prioritizes nuclear families (spouses, minor children) of both naturalized citizens and lawful permanent residents. In addition, H.R. 878 reduces overall legal immigration levels by 33 to 50% – helping the U.S. return to traditional levels of legal immigration. Currently, the U.S. is at about 5 times the historical yearly average (1.2 million vs. 250,000). Two years after the Nuclear Family Priority Act's enactment, processing shall end for petitions and applications for any visa that is being eliminated as a result of ending "chain migration." Petitions and applications filed after the date of introduction of the bill will become invalid, giving the longest waiting chain migrants priority for the last of the eliminated visas.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 892 – SEAT Act of 2009 (Myrick, R-NC)

Introduced: February 4, 2009

Summary: The SEAT Act would prohibit any institution of higher education that has a practice or policy of knowingly admitting illegal aliens from receiving contract or grant funds made available under the Higher Education Act (HEA). The HEA funding prohibition does not affect federal student financial assistance to students at institutions that have been found to be in violation.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 994 – LEAVE Act (Gary Miller, R-CA)

Introduced: February 11, 2009

Summary: The LEAVE Act tightens the forms of government accepted identification to include a Social Security card with a photo ID, a REAL ID Act identification, a passport, or a USCIS photo identification card.

The LEAVE Act requires federal agencies to coordinate with states in creating an electronic birth and death registration system. Fines and penalties will be mandated for those that compromise national security by engaging in passport fraud. The LEAVE Act also requires the Social Security Administration and Internal Revenue Service to share any information related to the investigation and enforcement of no-match letters.

Currently, Individual Taxpayer Numbers (ITINs) and Social Security numbers have no visible difference facilitating fraud and abuse. Under the LEAVE Act, ITINs are required to be comprised of a sequence of numbers and dashes that are distinguishable from a Social Security account.

This legislation also makes the pilot program, E-verify, permanent. The LEAVE Act gradually expands the E-verify program to all employers and mandates fines for employers that fail to comply. Further, this legislation prevents allocating Department of Homeland Security and Department of Justice funds to state and local governments unless they comply with the E-verify program for business license applicants. Right now, there is a loophole in the E-verify program because a company could potentially hire a subcontractor to provide goods and services. Because subcontractors can bypass the E-verify program, the subcontractor itself could be an illegal alien.

The LEAVE Act prohibits states from issuing driver's licenses unless the state has satisfied certain citizenship or lawful immigration status verification requirements. This legislation also prohibits children of illegal aliens born in the United States from obtaining birthright citizenship.

Under this legislation, in order to obtain a mortgage or apply for housing benefits applicants must show an accepted form of identification, such as a Social Security card accompanied by a photo ID, a REAL ID Act identification, a passport, or a USCIS photo identification card.

H.R. 994 also requires two-layered fencing along the Southwest Border. An additional 8,000 Border Patrol agents and 3,000 ICE agents will be added to the border by 2014.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 997 – English Language Unity Act of 2009 (King, R-IA)

Introduced: February 11, 2009

Summary: The English Language Unity Act of 2009 makes English the official language of the United States. The English Language Unity Act currently has broad bipartisan support with 137 cosponsors. For centuries our common tongue, English, has been the uniting force in this great nation, knocking down barriers of race and ethnicity to truly make us one nation. Today as Americans rally for unity and patriotism, a common means of communication propels us toward our goal. A recent survey conducted by the Terrance Group found that 84 percent of Americans favor making English the official language, so that government business is conducted only in English.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 1001 – Nursing Relief Act of 2009 (Shadegg, R-AZ)

Introduced: February 11, 2009

Summary: The purpose of this bill is to create a new nonimmigrant visa category for registered nurses and establish admission requirements for them. There are more vacant nursing positions in the U.S. than there are qualified registered nurses and nursing school candidates. According to the Department of Labor, the current national nursing shortage exceeds 126,000, while foreign countries such as the Philippines, India, and China have an oversupply of nurses. The Nursing Visa is a three-year visa that may be renewed once for a total of six years. An alien nurse would only be qualified to practice under the laws governing the place of intended employment. The cost of a lack of nurses is being passed on to consumers and is adding to the rising cost of health care. This legislation would create 50,000 new visas, annually, for nursing visas (W Visas). This number of new visas would only apply to the alien coming into the U.S. for nursing employment, and

would not apply to the alien's spouse or children. Under current law, it is very difficult to import nurses from overseas; the waiting time can take as much as three years.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 1148 – To require the Secretary of Homeland Security to conduct a program in the maritime environment for the mobile biometric identification of suspected individuals, including terrorists, to enhance border security (Bilirakis, R-FL)

Introduced: February 24, 2009

Summary: This bill directs the Coast Guard to expand its biometrics-at-sea program, which collects fingerprints and digital images of waterborne migrants seeking entry into the United States. This information is then compared to federal databases of immigration violators, criminals, previous deportees, and possible terrorists to ensure that they are not released to continue their dangerous and illegal behavior simply because we do not know who they are. H.R. 1148 requires the Coast Guard to move forward on this effort within one year and provide a cost analysis to Congress on expanding its biometric capabilities, giving priority to assets and areas that are most likely to encounter illegal border crossings in the maritime environment.

Mobile biometrics has the potential to greatly improve the security of America's maritime borders by providing the ability to quickly identify and detain those who may pose serious threats to our homeland security or who repeatedly flout their disregard for our immigration laws. Since starting this effort on a limited basis, the Coast Guard has collected biometric data from more than 1,500 migrants, resulting in more than 300 matches of wanted criminals, immigration violators, and others who had previously encountered government authorities.

Status: This legislation passed the House by voice vote on March 24, 2009 and has been referred to the Senate Committee on Commerce, Science, and Transportation.

H.R. 1199 – Scott Gardner Act (Myrick, R-NC)

Introduced: February 25, 2009

Summary: H.R. 1199 would require the Secretary of Homeland Security and the Attorney General to share and report immigration information through existing databases. The Secretary and Attorney General will issue a report within 90 days on the performance and compatibility of these databases. The report will also detail the progress made on eliminating the backlog of entering immigration information into the databases.

This legislation would also require that state and local enforcement shall collect immigration information in the course of performing their normal duties, and report it to the federal government in such manner as the Secretary of Homeland Security may specify. Failure to do so will result in a loss of State Criminal Alien Assistance Program (SCAAP) funding. The Secretary and the Attorney General shall report on the resources needed by state and local law enforcement agencies to comply with this requirement. The Department of Homeland Security shall promote and market the Law Enforcement Support Center to state and local law enforcement agencies. This legislation includes an exemption from state and local reporting of immigration information relating to individuals who assist law enforcement agencies as informants, witnesses or in other similar capacity.

H.R. 1199 also requires that DWI and immigration information shall appear as a flag on the wants/warrants page of the National Criminal Information Center and be readily available to law enforcement officers during the course of their normal duties. State and local law enforcement officers shall detain an alien for DWI and immigration violation until the alien is transferred to federal custody. This legislation makes DWI for illegal aliens grounds for mandatory detention and deportation. It authorizes state and local law enforcement officers trained through the Section 287 (g) program to detain and transport the offending illegal alien until such time as they are transferred to federal custody. States will be required to share DWI information through the existing Drivers License Agreement of the American Association of Motor Vehicle Administrators and enter this information into the National Criminal Information Center.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 1791 – The STAPLE Act of 2009 (Flake, R-AZ)

Introduced: March 30, 2009

Summary: The STAPLE Act would exempt foreign-born individuals who have earned a Ph.D. in science, technology, math, or engineering from the limits on the number of employment-based green cards and H-1B visas awarded annually.

Every year, 140,000 employment-based or “EB” visas (also known as green cards) are allotted for foreign nationals who are seeking permanent residence in the U.S. and are sponsored by their employer. Under current law, spouses and dependents count against the EB visa cap (accounting for about half of the available visas) and the cap is further divided into various EB preference categories based on credentials and into a set percentage for each country. As such, the number of people applying for many of the EB categories often exceeds the number of visas allotted, and backlogs for individuals from high-demand countries have resulted.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 1868 – Birthright Citizenship Act of 2009 (Deal, R-GA, in care of Miller, R-CA)

Introduced: April 2, 2009

Summary: Under current law, a child born on U.S. soil, despite the legal status of his/her parents is entitled to all benefits that U.S. citizenship entails, including federal welfare benefits and the right to vote. When that child turns 21, he or she will be able to sponsor his or her parents, and other family members, to the United States under the family reunification provisions of the Immigration and Nationality Act. H.R. 1868 would deny citizenship at birth to children born in the United States of parents who are not citizens or permanent resident aliens.

This legislation would require a child born in wedlock to have a parent who is a U.S. citizen or national of the United States, or a parent who is an alien who is lawfully admitted for permanent residence and maintains residence in the United States.

It would require a child born out of wedlock in the United States to have a mother who is a citizen or national of the United States, or an alien who is lawfully admitted for permanent residence and maintains her residence in the United States.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2028 – New Employee Verification Act of 2009 (Johnson, R-TX)

Introduced: April 22, 2009

Summary: H.R. 2028 would replace the current failed paper-based I-9 screening process with an Electronic Employee Verification System, known as EEVS. The system would rely on the use of fewer, more secure identity documents and would build upon the new-hire reporting process in each state. This program is already used by 90% of employers and was put in place a dozen years ago to track down dead-beat fathers.

This legislation would also help safeguard workers' identities. A voluntary system for employers would be created, using the latest technology to authenticate and protect a worker's identity. Private sector experts, certified by the federal government, would first verify work authorization in EEVS, but would also authenticate the identity of employees by utilizing existing background-check and document screening tools. The identity would then be secured through a biometric identifier, such as a finger print or eye scan. This is the Secure Electronic Employee Verification System, SEEVS.

Third, the bill would help protect the integrity of the Social Security system. Not only would the legislation prevent future unauthorized wages from being used to determine Social Security benefits, the bill would also protect the Social Security Administration's primary mission and trust funds by authorizing employment verification only through advanced appropriated funds.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2047 – To authorize appropriations for Operation Stonegarden of the Department of Homeland Security (McCaul, R-TX)

Introduced: April 22, 2009

Summary: This legislation would provide a nearly tenfold increase for Operation Stonegarden from about \$60 million in FY09 to \$500 million for each of the years FY 2010 – FY 2014.

Operation Stonegarden (OPSG) is a grant program that provides funding to county level governments along the border (both northern and southern) to prevent, protect against, and respond to border security issues, as well as to enhance cooperation and coordination between federal, state, local, and tribal law enforcement agencies.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2048 - To authorize appropriations for the Office of Detention and Removal of United States Immigration and Customs Enforcement (McCaul, R-TX)

Introduced: April 2, 2009

Summary: H.R. 2048 would more than double funding for the Detention and Removal Operations (DRO) from \$2.481 billion in FY09 to \$5 billion in FY10. DRO is the primary enforcement arm within ICE for the identification, apprehension and removal of illegal aliens from the United States.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2083 - Border Sovereignty and Protection Act (Hunter, R-CA)

Introduced: April 23, 2009

Summary: The legislation comprehensively addresses many of the enforcement challenges along the U.S.-Mexico border through the construction of additional infrastructure, interagency cooperation, and stronger penalties for weapons smuggling. The legislation also sets guidelines for the expedited removal of undocumented and criminal aliens, denies State Criminal Alien Assistance Program (SCAAP) reimbursement for sanctuary cities, and makes E-Verify mandatory. In addition, the Act requires the construction of an additional 350 miles of double-layered, reinforced pedestrian fencing along the U.S.-Mexico border. This infrastructure would supplement the approximate 350 miles of fencing completed between October 2006 and April 1, 2009, effectively reinstating the original mandate under the Secure Fence Act for 700 miles of pedestrian fencing.

The bill provides the Department of Homeland Security with legal authority to investigate criminal drug violations of the Controlled Substances Act or the Controlled Substances Import and Export Act. The authority to fully investigate drug crimes, referred to as "Title 21" authority, is currently maintained by the Drug Enforcement Agency (DEA).

The legislation also increases the mandatory minimum sentence for all weapons smuggling offenses to 15 years. Weapons smugglers are often prosecuted under "non-trafficking" statutes that make it unlawful for certain persons to be in possession of firearms or import/export any merchandise, material, or object contrary to U.S. laws.

The bill denies reimbursement for SCAAP funding for state and local governments that maintain sanctuary policies and prohibit local law enforcement officials from gathering data or information on an individual's immigration status. Congressman Hunter's bill

permits immigration officers to expeditiously remove undocumented aliens not continuously present in the U.S. for three years, unless that individual has been charged with a crime or is seeking asylum.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2305 – SAFE for America Act (Goodlatte, R-VA)

Introduced: May 7, 2009

Summary: The legislation eliminates the VISA lottery program. This program provides an avenue by which 50,000 aliens may become legal permanent residents of the U.S. Under the program, each successful applicant is chosen at random and given the status of permanent resident based on pure luck. Usually, immigrant visas are issued to foreign nationals who have an existing connection with a family member lawfully residing in the United States or with a U.S. employer. However, under the visa lottery program, visas are awarded to immigrants at random without meeting these criteria. The visa lottery program is unfair to immigrants who comply with United States immigration laws, as it does not prohibit illegal aliens from applying to receive a visa through the program. This sends the wrong message to those desiring entry into United States.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2406 – Charlie Norwood CLEAR Act of 2009 (Blackburn, R-TN)

Introduced: May 14, 2009

Summary: H.R. 2406, the CLEAR Act of 2009, would help prevent federal “Catch and Release” policies by denying SCAAP funds – which reimburse state and local governments for the cost of incarcerating illegal aliens – to governments that refuse to help the federal government enforce immigration law. Furthermore, the CLEAR Act of 2009 ensures officers have the authority, information, and resources they need to identify illegal immigrants in the course of their normal duty. The legislation would therefore reduce the cycle of violence perpetrated by criminal illegal aliens and prevent taxpayer funds from impeding federal efforts to eliminate the criminal alien crisis.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2472 - Social Security Number Fraud and Identity Theft Prevention Act (Coffman, R-CO)

Introduced: May 19, 2009

Summary: The Social Security Number Fraud and Identity Theft Prevention Act enables the Social Security Administration to share information with the Department of Homeland Security to help prevent identity theft, and for detecting the fraudulent use of Social Security numbers. The bill would enable the Commissioner of the Social Security Administration to perform, at the request of the Secretary of Homeland Security, a search for records that will identify individuals and employers who are using false names, false Social Security numbers, the same Social Security number used by multiple individuals, Social Security numbers from deceased individuals, and individuals who had applied and received a Social Security number but who are not legally entitled to work due to their immigration status.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 2837 - Criminal Alien Accountability Act (Issa, R-CA)

Introduced: June 11, 2009

Summary: H.R. 2837 amends the Immigration and Nationality Act to establish minimum imprisonment terms for specified categories of aliens subject to criminal fines, imprisonment, or both, for re-entry as removed aliens. The bill subjects an individual who knowingly aids or conspires to allow, procure, or permit any such alien to reenter the United States to criminal penalty, the same imprisonment term as applies to the alien so aided, or both.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 3174 – Photo Identification Security Act (Blackburn, R-TN)

Introduced: July 10, 2009

Summary: H.R. 3174 issues identification requirements for the official purposes of financial institutions and all federal agencies. This legislation identifies three acceptable requirements that a financial institution or federal agency may accept for official purposes.

1. A Social Security card that is accompanied with a photo identification card, which was issued by the federal government or a state government. Alternatively, an individual may present a driver's license or identification card that was issued by a state that is in compliance with title II of the REAL ID Act of 2005.
2. A passport issued by the United States or a foreign government.
3. A photo identification card issued by the Secretary of Homeland Security.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 3236 - Complete the Fence Act (Barrett, R-SC)

Introduced: July 16, 2009

Summary: The Secure Fence Act of 2006 required 700 miles of “at least 2 layers of reinforced fencing” along the southwest border, but only set a deadline of December 31, 2008 for the first 370 miles. Because of changes made by an amendment to the FY08 Consolidated Appropriations Act, DHS currently has the ability to count vehicle barriers and virtual fencing towards the 700 miles of “fencing” requirement. While the Administration touted the virtual fence as a key component of the border security initiative, it became apparent during a joint hearing in the House of Representatives that the “virtual fence,” known as Project 28, did not work as planned or meet the needs of the U.S. Border Patrol.

Simply, the Complete the Fence Act reinstates the requirement for 700 miles of physical fencing requirement along the southwest border and requires all 700 miles of fencing to be completed by December 31, 2010. The bill also requires DHS to report to Congress by December 2009 on the progress made on the fence and how they plan to complete the full fence by the deadline to ensure that the next administration will complete full border fence construction within 2 years of taking office.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 3289 - Unlawful Border Entry Prevention Act of 2009 (Hunter, R-CA)

Introduced: July 22, 2009

Summary: The Unlawful Border Entry Prevention Act of 2009 provides the Secretary of Homeland Security with complete discretionary authority to build as many as 350 miles of additional reinforced fencing along the U.S.-Mexico border. Under the existing border fence mandate, the Department of Homeland Security (DHS) was given until December 2008 to identify specific locations on the Southwest border for infrastructure and fence construction. There is currently no legal authority for DHS to build additional border infrastructure in the event that it is needed. The Unlawful Border Entry Prevention Act also requires that once a sector of the Southwest border experiences a 40 percent increase in apprehensions from the previous fiscal year, the Secretary of Homeland Security is required to report to Congress within 30 days with a plan to gain operational control of that particular sector.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 3580 - New IDEA (Illegal Deduction Elimination Act) (Deal, R-GA in care of King, R-IA)

Introduced: September 16, 2009

Summary: This legislation will help address our illegal immigration problem by making wages and benefits paid to illegal aliens nondeductible for federal tax purposes. It will also make E-verify permanent, while providing a safe harbor for employers and allowing job offers to be conditional on confirmation by E-verify. New IDEA will also establish an information sharing program among the Department of Homeland Security, the Social Security Administration, and the Internal Revenue Service.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

**H.R. 3676 - Improving Methods to Promote Regular Occurrences of the Verification of Employability Status Act of 2009 (IMPROVES)
(Broun, R-GA)**

Introduced: September 30, 2009

Summary: The bill amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to eliminate the pilot program status of the E-verify program, thus making the program permanent.

H.R. 3676 revises confirmation provisions, and adds provisions respecting fraudulent documentation and sanctions. The bill also provides that information posters required to be displayed shall be written only in English.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 3687 - To amend the Immigration and Nationality Act to eliminate the diversity immigrant program and to re-allocate those visas to certain employment-based immigrants who obtain an advanced degree in the United States (Issa, R-CA)

Introduced: October 1, 2009

Summary: The legislation eliminates the visa lottery program and reallocates those visas to foreign nationals who obtain an advanced degree in the United States. H.R. 3687 reallocates the 55,000 visas to qualified immigrants who obtain an advanced degree in the United States, obtained that degree within 5 years of a petition by an employer, or has resided continuously and lawfully in the United States since obtaining that degree. The bill also reallocates the visas to immigrants who will work in an area of science, technology, engineering, or mathematics, are petitioned for by an employer, and/or will substantially benefit the United States economy.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4350 – Fallen Heroes Family Act of 2009 (Issa, R-CA)

Introduced: December 16, 2009

Summary: The Fallen Heroes Family Act would grant temporary nonimmigrant status to a foreign national parent or permanent guardian of a U.S. citizen child born outside of the United States when the deceased parent was an active-duty service member of the U.S. military. The act only applies to active-duty service members of the United States military who died after September 11, 2001. Upon reaching the age of 21, the U.S. citizen child may sponsor his or her surviving parent for U.S. citizenship.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4441 – Stop Terrorist Entry Program Act of 2010 (Barrett, R-SC)

Introduced: January 13, 2010

Summary: The STEP Act prohibits the entry of immigrants from countries that sponsor terrorism, as designated by the State Department. These countries currently include Cuba, Iran, Syria, and Sudan. Yemen is also included in this bill because of terrorism issues, even though it is not considered a state sponsor by the State Department. There is an exception included for individuals seeking political or religious asylum or in need of emergency medical treatment. The bill repeals Section 306 of the Enhanced Border Security and Visa Entry Reform Act of 2002 (Public Law 107-173). Section 306 prohibits the issuance of any nonimmigrant visa to any alien from a country that is a state sponsor of terrorism unless the Secretary of State determines that such alien poses no threat to the safety or security of the United States. This sets up a policy for citizens from state sponsors of terrorism. This new bill would trump that.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4471 – To clarify that revocation of an alien's visa or other documentation is not subject to judicial review (Smith, R-TX)

Introduced: January 20, 2010

Summary: H.R. 4471 provides that there is no means of judicial review of a visa revocation or a deportation action based on the revocation. This provides that the government is not placed in a position of either exposing its intelligence sources or permitting potentially dangerous aliens to remain in the U.S.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4548 – Fairness for American Students Act (Tiahrt, R-KS)

Introduced: January 27, 2010

Summary: The 1996 Illegal Immigration Reform and Immigrant Responsibility Act bars illegal immigrants from gaining in-state tuition at state colleges and universities. Nine states are currently circumventing existing law and providing illegal immigrants' in-state tuition to state-run, higher education institutions. The nine states include California, Illinois, Kansas, Nebraska, New Mexico, New York, Texas, Utah, and Washington. This provides a government benefit to people not legally allowed this nation, and therefore encourages and incentives illegal immigration.

The Fairness for American Students Act clarifies that illegal aliens are ineligible for in-state tuition unless the institution offers those rates to all American citizens. To help enforce this provision, the Fairness for American Students Act would provide standing for students around the country, who do not receive in-state tuition, to file a civil lawsuit to force the states to comply with the law. Finally, the legislation would bar any college or university that provides in-state tuition to illegal aliens from receiving any federal funding.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4586 – Mortgage E-Verify Act of 2010 (Marchant, R-TX)

Introduced: February 3, 2010

Summary: H.R. 4586 amends the Federal National Mortgage Association Charter Act and the Federal Home Loan Mortgage Corporation Act to require the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation Act (Freddie Mac) to confirm the identity and work eligibility of the mortgagor as a prerequisite to: (1) any refinancing, restructuring, or modification agreement governing a single-family housing mortgage that is held by, or that backs any security issued by, either Fannie Mae or Freddie Mac; or (2) any purchase of, or issuance of any security that is backed by, any single-family housing mortgage made for the refinancing, restructuring, or modification of the mortgagor's previous single-family housing mortgage on the same property. The bill identifies the required inquiry as one made through the basic pilot E-Verify program under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. It also amends the National Housing Act to require the Secretary of Housing and Urban Development (HUD) to use the E-Verify program to confirm the identity and work eligibility of the mortgagor as a prerequisite to single-family housing mortgage insurance issued under the Act.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4708 – Reinstatement of Personal Responsibility for Immigrants Act of 2010 (Tiahrt, R-KS)

Introduced: February 25, 2010

Summary: The re-authorization of SCHIP in 2009 created several loopholes that allow illegal and legal immigrants to have access to government-funded healthcare. SCHIP is a program to provide healthcare for poor children. The original SCHIP program contained strong protections to ensure illegal immigrants did not have access to this government-funded healthcare. The Reinstatement of Personal Responsibility for Immigrants Act of 2010 requires documentation of citizenship to access SCHIP. It also requires SAVE verification for legal immigrants, and re-instates the five-year waiting period for legal immigrants.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4744 – E-Verify Loan Origination Act of 2010 (Marchant, R-TX)

Introduced: March 3, 2010

Summary: H.R. 4744 amends the Federal National Mortgage Association Charter Act and the Federal Home Loan Mortgage Corporation Act to prohibit the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation Act (Freddie Mac) from purchasing a single-family housing (1-to-4 family residence) mortgage unless the identity and work eligibility of the mortgagor has been confirmed by an inquiry made through the basic pilot E-Verify program under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. The bill permits the lender, Fannie Mae and Freddie Mac, to submit such inquiries.

The E-Verify Loan Origination Act of 2010 amends the National Housing Act to prohibit the Secretary of Housing and Urban Development (HUD) from insuring any single-family housing mortgage unless the identity and work eligibility of the mortgagor has been confirmed by an inquiry made through the basic pilot E-Verify program. It also permits the lender and the Secretary to submit such inquiries.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 4758 – Secure Visas Act (Smith, R-TX)

Introduced: March 4, 2010

Summary: H.R. 4758 provides that the Department of Homeland Security has the power to revoke any visa when it is necessary or advisable in the security interests of the United States. The bill also provides that when a visa is revoked, the relevant consular, law enforcement, and terrorist screening databases be immediately updated, that DHS shall conduct an on-site review of all visa applications before adjudication at all visa-issuing posts in certain countries including Algeria, Indonesia, Iraq, Israel, Jordan, Kuala Lumpur, Malaysia, Kuwait, Lebanon, Pakistan, Saudi Arabia, Syria, Turkey, the United Arab Emirates, Venezuela and Yemen. Finally, the bill provides that the Secretary of DHS is authorized to assign DHS personnel to each diplomatic and consular post at which visas are issued, unless the Secretary determines that such an assignment at a particular post would not promote national or homeland security.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 5002 – No Sanctuary for Illegals Act (Burton, R-IN)

Introduced: April 13, 2010

Summary: H.R. 5002 increases border patrol recruitment and retention incentives, directs the DHS Secretary to prioritize fence construction, and reports to Congress regarding the progress. Secondly, the bill prohibits federal funds from going to any state or other local government that the Secretary of Homeland Security determines is interfering with efforts to enforce federal immigration laws. Finally, the No Sanctuary for Illegals Act addresses the issue of children born to illegal immigrants who cross the border to give birth for the purpose of obtaining U.S. citizenship. It would amend current law to consider a person born in the United States “subject to the jurisdiction” of the United States for citizenship at birth only if the person is born of parents either of whom is (1) a U.S. citizen or national, (2) a lawful permanent resident alien; or (3) an alien performing active service in the U.S. Armed Forces.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 5016 – To prohibit the Secretaries of the Interior and Agriculture from taking action on public lands which impede border security on such lands, and for other purposes (Bishop, R-UT)

Introduced: April 14, 2010

Summary: H.R. 5016 would prohibit federal land agencies from impeding, prohibiting, or restricting the Border Patrol from pursuing its congressionally-mandated mission to achieve operational control over our borders.

Under current law, the Border Patrol is denied entry to several million acres of land on the southern border controlled by the Department of Interior and U.S. Forest Service.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 5173 – The Secure Border Act (Tiahrt, R-KS)

Introduced: April 28, 2010

Summary: This legislation contains several important provisions that will dramatically improve the security of both our southern and northern borders. The legislation requires double re-enforced fencing along the entire U.S.-Mexico border. It requires the installation of physical barriers, roads, lighting, cameras, and sensors along the entire border. This will cover all 2000 miles of the U.S.-Mexico border. If the double re-enforced fence is geographically impossible at a particular location, the Department of Homeland Security has to provide Congress with effective alternatives. Congress has to affirmatively approve the alternatives before any substitute action is taken. It also calls for authorization for the use of Unmanned Aerial Vehicles, satellites and other border surveillance sensors along both the U.S.-Mexico border and the U.S.-Canada border and a 100% increase in funding for the Tunnel Task Force along our southern border.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House Floor.

H.R. 5208 - Student Visa Security Improvement Act (Bilirakis, R-FL)

Introduced: May 5, 2010

Summary: This bill will require Immigration and Customs Enforcement (ICE) personnel stationed at high-risk visa issuing posts overseas to review student visa applications and conduct interviews with applicants before they are granted a student or exchange visa. These ICE agents bring enhanced security and law enforcement experience that will better ensure that prospective foreign students are not security risks. This bill also will require that foreign students are active participants in the programs in which they are enrolled and are observed more often than is currently required. In addition, the bill requires that changes impacting a student's nonimmigrant status, such as switching to a more sensitive major or transferring to another institution, will be reported to the Department of Homeland Security in a timelier manner.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House floor.

H.R. 5658 – Securing Knowledge, Innovation, and Leadership Act (SKIL Bill) (Shadegg, R-AZ)

Introduced: July 1, 2010

Summary: The SKIL Bill recognizes that the United States benefits when highly educated foreign nationals live and work in this country. Foreign-born scientists, health care professionals, teachers, engineers, and entrepreneurs help drive innovation and job creation here at home. Current policy mandates that these foreign nationals be sent home, or to other countries which welcome their skills. The SKIL Bill would address this problem by increasing the allotment of H-1B visas to market-based levels. The legislation would also allow foreign nationals who graduate from U.S. universities the chance to stay in the U.S. and contribute to our economy.

Status: Speaker Pelosi and the Democrat majority have not considered this legislation in committee or on the House floor.

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