

FROM THE SENATE JUDICIARY COMMITTEE MAJORITY STAFF

**S. 744: THE BORDER SECURITY, ECONOMIC OPPORTUNITY, AND IMMIGRATION
MODERNIZATION ACT**

**DAY ONE RECAP: BIPARTISAN PROGRESS ON IMMIGRATION REFORM
BILL - #CIRMARKUP**

The Senate Judiciary Thursday began consideration of the Border Security, Economic Opportunity, and Immigration Modernization Act. The markup began at 9:30 a.m., and concluded at 5:05 p.m. In addition to the sponsors' amendment, a total of 32 amendments were offered by Republicans and Democrats.

Of those 32 amendments, 21 were accepted, all but one with bipartisan support.

All amendments are available on the Senate Judiciary Committee's website:

<http://www.judiciary.senate.gov/>

Border Security Addressed in Amendments Considered Thursday

On Thursday, the Committee considered amendments to the Pre-Title and Title I of the Border Security, Economic Opportunity, and Immigration Modernization Act. **Among the amendments accepted included those offered by Republican Senators to strengthen border security**, including an amendment by Senator Grassley to require the government to apply its comprehensive border strategy to the entire Southern border, not just high-risk areas. The Committee accepted amendments by Senators Flake and Grassley to increase oversight of DHS enforcement strategies, and amendments by Senators Sessions and Cornyn to protect border communities.

The Committee adopted amendments **to improve treatment of children and families in detention, and protect families affected by violence at the border.**

The Committee rejected amendments to triple the number of officers on the Southern Border to 60,000, and to spend billions of additional dollars building a "double fence" on top of the billions of dollars already authorized in this bill.

Amendments Adopted Thursday

- **Leahy1** – To prohibit the border crossing fees at land ports of entry (bipartisan) – *Adopted by Voice Vote*
- **Grassley2** – To require that certain reports be submitted to the Committee on the Judiciary – *Adopted by Voice Vote*
- **Grassley5** – To require annual audits of the Comprehensive Immigrations Reform Trust Fund – *Adopted by Voice Vote*
- **Sessions36** – To expand the functions of the DHS Immigration Ombudsman to include providing assistance to individuals and families who have been the victims of crimes committed by aliens or violence near the United States border – *Adopted by Voice Vote*
- **Cornyn6** – To amend the Omnibus Crime Control and Safe Streets Act of 1968 to include human trafficking as part 1 violent crime for purposes of the Edward Byrne Memorial Justice Assistance Grant Program – *Adopted by Voice Vote*
- **Flake1** – To include private land representatives on the Department of Homeland Security Border Oversight Task Force – *Adopted by Voice Vote*
- **Flake2** – To require the Government Accountability Office to prepare an annual assessment of the status and progress of the Southern Border Security Strategy – *Adopted by Voice Vote*
- **Feinstein6** – To require the Secretary of Homeland Security to establish standards to ensure humane conditions for children in the custody of U.S. Customs and Border Protection (bipartisan) – *Adopted by Voice Vote*
- **Feinstein7** – To require that allocations to law enforcement agencies for Operation Stonegarden be allocated through a competitive grant process – *Adopted by Voice Vote*
- **Feinstein8** – To require U.S. Customs and Border Protection to acquire and deploy watercraft to provide support for border-related maritime anti-crime activities – *Adopted by Voice Vote*
- **Hirono24** – To propose an alternative to section 1114, relating to the immigration ombudsman – *Adopted by Voice Vote*
- **Grassley4** – To prohibit the granting of registered provisional immigrant status until the Secretary has maintained effective control of the borders for 6 months and to apply border security strategies to all border sectors – *Vote: 6-12, Not Agreed To*
- **Schumer2** – To improve the bill – *Vote: 14-4, Agreed To*

- **Lee4** – To require fast-track congressional approval when the Secretary of Homeland Security notifies Congress of the implementation of the border security strategies and certifies that the strategies are substantially operational – *Vote: 6-12, Not Agreed To*
- **Grassley1** – To apply border security strategies to all border sectors – *Adopted by Voice Vote*
- **Grassley24** – To ensure accountability and oversight for taxpayer dollars awarded as Federal grants – *Adopted by Voice Vote*
- **Feinstein9** – To clarify the immigration-related criminal prosecution costs for which States, tribal, and local governments may be reimbursed by the Federal Government – *Adopted by Voice Vote*
- **Sessions37** – To strike the section that requires the Secretary of Homeland Security to issue policies governing the use of force by Department of Homeland Security personnel – *Vote: 7-11, Not Agreed To*
- **Coons2** – To limit dangerous deportation practices – *Withdrawn*
- **Blumenthal10** – To prohibit reimbursement of governments for prosecution or pre-trial detention of an individual if the Attorney General concludes there is reason to believe that the individual’s underlying apprehension arose from unlawful conduct by a law enforcement official – *Adopted by Voice Vote*
- **Cruz1** – To replace title I of the bill with specific border security requirements that shall be met before the Secretary of Homeland Security may process applications for registered immigrant status of blue card status and to avoid Department of Homeland Security budget reductions – *Vote: 5-13, Not Agreed To*
- **Hirono23** – To protect family values in programs to apprehend aliens at an intentional border of the United States – *Vote: 10-8, Agreed To*
- **Sessions38** – To strike the section that specifies the training requirements for border security and immigration officers and border community liaison officers – *Withdrawn*
- **Feinstein11** – To modify the extent of the Southwest border region for purposes of border security – *Withdrawn*
- **Feinstein1** – To reauthorize and expand the State Criminal Alien Assistance Program – *Vote: 10-8, Agreed To*
- **Feinstein10** – To establish a grant program to improve the transportation infrastructure at existing and new international border crossings – *Adopted*

- **Leahy4** – To promote effective deterrents against unlawful border crossings and ensure that border fencing is limited to the Southern border – *Adopted by Voice Vote*
- **Sessions9** – To require the completion of the 700 miles of reinforced, double-layered fencing described in section 102(b)(1)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 as a trigger – *Vote: 6-12, Not Agreed To*
- **Cornyn1** – To ensure border security for the American people by achieving and maintaining operational control and full situational awareness of the Southern border – *Vote: 6-12, Not Agreed To*
- **Feinstein2** – To provide additional permanent district court judgeships in southwest border States – *Adopted by Voice Vote*
- **Sessions11** – To ensure that “effective control” specifically includes prevention of unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband, and triggers the initiation of processing for registered provisional immigrant status, and to eliminate the use of the terms “effectiveness rate” and “high risk sectors” from the bill – *Vote: 6-12, Not Agreed To*
- **Cornyn2** – To authorize the Secretary of Homeland Security to hire an additional 5,000 full-time U.S. Customs and Border Protection officers and to authorize the Administrator of the General Services Administration to enter into cost-sharing agreements for the construction of facilities at a port of entry – *Withdrawn*

Markup to Continue on Tuesday, May 14, at 10:00 a.m.

The Committee has concluded consideration of the Pre-Title and Title I. Chairman Patrick Leahy announced today that the Committee will continue its consideration of the **Border Security, Economic Opportunity, and Immigration Modernization Act on Tuesday, May 14, at 10:00 a.m.**