

Amendments Voted On In Senate CIR Debate

*Below is a list of amendments voted on during the Senate CIR debate. Amendments that AILA has taken a position on are noted accordingly.

*Updated 5/25/06 (6:00 p.m.)

Amendment Number	Sponsor(s)	Summary	AILA's Position	Outcome
	Isakson (R-GA)	~requires DHS to certify that U.S. borders are secure and new detention facilities are fully operational before the guest worker and legalization programs could take effect.	OPPOSE	Failed
	Salazar (D-CO)	~authorizes President to trigger implementation of the guest worker and legalization provisions by certifying that they would strengthen the national security of the United States.		Passed
SA 4017	Dorgan (D-ND) Stabenow (D-MI)	~eliminates guest worker program	OPPOSE	Tabled (permanently kills pending matter and ends further debate)
	Bingaman (D-NM) Feinstein (D-CA)	~lowers the number of guest workers authorized for "essential" jobs to 200,000, and eliminates the market-based cap adjustment in the Senate bill.	OPPOSE	Passed by voice vote. (Vote to table did not pass).
SA 3999	Kerry (D-MA)	~increases border security and related equipment.		Passed by voice vote.
	Kyl (R-AZ) Cornyn (R-TX)	~prohibits undocumented person from obtaining legalization if he is a convicted felon or has had three convictions for misdemeanors—largely redundant provisions. The significant change proposed is the bar to legalization for those who have already been ordered removed. Provides DHS with discretionary waiver authority.	OPPOSE	Passed.
SA 3979	Sessions (R-AL) Santorum (R-PA)	~authorizes 370 miles of border fencing and vehicle barriers along US-Mexico border	OPPOSE	Passed
SA 3971	Obama (D-IL)	~inserts provisions for determination of prevailing wage. Prevailing wage is the wage set forth in existing collective bargaining agreement. Absent such agreement, if occupation is covered by wage determination, prevailing wage is the appropriate statutory wage. Absent both of these, prevailing wage based on published wage data for the occupation from the Bureau of Labor Statistics first, or DOL wage determination second.		Passed by voice vote.
SA 3963	Vitter (R-LA) Kyl (R-AZ) Ensign (R-NV) Sessions (R-AL) Chambliss (R-GA) Grassley (R-IA), et al.	~strikes bill provisions allowing undocumented person to obtain a green card while in the U.S.	STRONGLY OPPOSE	Failed
SA 4018	Stevens (R-AK) Leahy (D-VT)	~ amends Section 7209 (b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1185 note) by striking "January 1, 2008" and inserting "June 1, 2009".		Passed

SA 3965	Cornyn (R-TX) Kyl (R-AZ) Sessions (R-AL) Ensign (R-NV), et al.	~strikes the bill provisions allowing new H-2C (guest worker) visa holders to self-petition for a green card.	OPPOSE	Passed
SA 4065	Kennedy (D-MA) McCain (R-AZ) Graham (R-SC)	~alternative to SA 3965. Allows H-2C worker after 4 years to file labor cert application with DOL to certify no US workers available. If approved, worker can demonstrate eligibility by providing 2 of 4 official government documents (SSA; IRS; official employer records; any other government agency documents) proving the requisite prior employment.	SUPPORT	Passed
SA 3985	Ensign (R-NV)	~bars people who have legalized from consolidating their social security earnings and obtaining eventual benefits	OPPOSE	Tabled (permanently kills pending matter and ends further debate)
SA 4029	Akaka (D-HI)	~grants special immigrant status to children of Filipino World War II veterans		Passed by voice vote
SA 3964	Vitter (R-LA)	~strikes bill provisions allowing undocumented individual to self-attest to the requirements for legalization (i.e., time in country and period of work).	OPPOSE	Passed by voice vote
SA 4064	Inhofe (R-OK) Sessions (R-AL)	~mandates that English become the official “national language” of the United States; requires that English be used in all official business of the United States; requires passage of an English proficiency test for citizenship.	OPPOSE	Passed
SA 4073	Salazar (D-CO)	~alternative to SA 4064. States that English be recognized as the “common and unifying language” of the United States.		Passed
SA 4072	Clinton (D-NY) Salazar (D-CO) Schumer (D-NY) Boxer (D-CA) Obama (D-IL)	~provides financial support to state and local governments for certain efforts/services related to immigration. Funding derived solely from existing fees within S.2611, including fees paid by H-2C guest workers applying for citizenship. Funding does not come from funds allocated to border security.		Failed
SA 4038	Cornyn (R-TX)	~alternative to SA 4072. Imposes additional fees (not currently in S.2611) on undocumented immigrants applying for guest worker status, in order to provide financial support to state and local governments for certain efforts/services related to immigration.		Passed
SA 3969	Kyl (R-AZ) Cornyn (R-TX) Chambliss (R-GA) Ensign (R-NV), et al.	~strikes the bill provision allowing any kind of path to a green card by H-2C guest worker visa holders	STRONGLY OPPOSE	Tabled (permanently kills pending matter and ends further debate)
SA 3998	Nelson (D-FL)	~increases the number of detention beds by an additional 20,000		Passed by voice vote.
SA 4099	Chambliss (R-GA) Alexander (R-TN) Bond (R-MO)	~amends H-2A program to require employers of agricultural workers to pay prevailing wage rate, doing away with adverse effect wage rate.		Tabled (permanently kills pending matter and ends further debate)
SA 4076	Ensign (R-NV)	~provides reimbursement for the use of National Guard to protect the border		Passed

SA 4087	Feinstein (D-CA)	~modifies conditions on which undocumented aliens present in US are granted legal status. Creates biometric “Orange Card” to streamline process for earned legalization, and eliminates 3-tiered system for earned legalization.		Failed
SA 4117	Leahy (D-VT)	~ Requires DOS to certify which groups fall within the current law’s catch-all definition of terrorist organization so that groups that the U.S. supports – such as certain groups in Cuba – will not inadvertently fall within an overbroad definition of “terrorist organization.” Provides an “involuntariness” exception to the material support bar.	SUPPORT	Tabled (permanently kills pending matter and ends further debate)
SA 4177	Grassley (R-IA)	~employer verification requirements (Title III). Replaces I-9 system with electronic verification system.	SUPPORT	Passed
SA 4106	Kennedy (D-MA)	~mandates various labor protections for U.S. workers and H-2C guest workers. Uses 25% of fees collect in guest worker program for labor, safety and health regulations.		Tabled (permanently kills pending matter and ends further debate)
SA 4142	Durbin (D-IL)	~provides DHS and AG with discretionary authority to provide a humanitarian waiver to certain immigrants who are penalized under certain provisions in Title II of this bill, exempting them from punishment.	SUPPORT	Tabled (permanently kills pending matter and ends further debate)
SA 4085	McConnell (R-KY)	~~requires photo identification to vote in federal elections		Motion to Table Fails (amendment remains open for debate)
	Frist (R-TN)	~motion to invoke cloture		Passed
		~motion to temporarily waive a portion of the Budget Act so that certain provisions in S.2611 remain in the bill without risk of removal.		Passed
SA 4166	Byrd (D-WV)	~imposes an additional \$500 fee on legalization applications	OPPOSE	Passed
SA 4114	Gregg (R-NH)	~requires that aliens with higher educational degrees receive the majority of the diversity visas	OPPOSE	Passed
	Landrieu (D-LA)	~reforms intercountry adoption procedures		Passed by voice vote
SA 4101	Hutchison (R-TX)	~Secure Authorized Foreign Employee (SAFE) Visa creates a new, guest worker (future flow) program that does not offer social services or a path to citizenship. Applicants must apply from home country, complete background check, have proof of employment and return to their country of origin for two months of the year.	OPPOSE	Failed
SA 4124	Burns (R-MT)	~requires the Census Bureau to study the impact of undocumented workers on apportionment		Passed by voice vote
SA 4144	Boxer (D-CA)	~requires employers to certify that U.S. workers are not available and willing to work before H-2C guest workers are hired		Passed by voice vote
SA 4084	Chambliss (R-GA)	~imposes Ag Jobs adjustments establishing artificially stringent eligibility requirements.	OPPOSE	Tabled (permanently kills pending matter and ends

				further debate)
SA 4095	Dorgan (D-ND)	~imposes a sunset on the H-2C guest worker program, whereby no more H-2C visas will be issued beginning five years after the date of enactment of S.2611.	STRONGLY OPPOSE	Failed
SA 4097	Cornyn (R-TX) Kyl (R-AZ) Sessions (R-AL)	~strikes provisions that preserve confidentiality of information provided by program applicants	STRONGLY OPPOSE	Failed
SA 4131	Bingaman (D-NM)	~caps the number of employment-based immigrant visas available annually and undermines the basic architecture of the Hagel/Martinez compromise.	STRONGLY OPPOSE	Passed
SA 4083	Feingold (D-WI)	~ strikes bill section 227(c), which would preclude courts from staying the removal of any alien pursuant to a final order unless the alien shows by clear and convincing evidence that the entry or execution of such order is prohibited as a matter of law.	SUPPORT	Passed
SA 4108	Sessions (R-AL)	~denies Earned Income Tax Credit to undocumented immigrants workers, even after legalization		Failed
SA 4184	Ensign (R-NV)	~denies Earned Income Tax Credit and back taxes owed to undocumented immigrants workers prior to 2006		Passed
Manager's Amendment		~package of amendments agreed to in advance by Republicans and Democrats		Passed
S.2611		~final vote on entire bill		Passed
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SA 3991	Grassley (R-IA)	~requires that undocumented persons pay all back taxes before legalization (Note: S. 2611 already requires that Group 1 aliens pay taxes for 3 of the 5 years that they were a resident in the United States).	OPPOSE	
	Kyl (R-AZ)	~strikes bill provisions allowing unauthorized aliens to obtain a green card, but it provides a humanitarian exemption (for elderly and others).	OPPOSE	
SA 4075	Feinstein (D-CA)	~ eliminates market-based adjustments to the H-1B cap	OPPOSE	
SA 4036	Lieberman (D-CT)	~provides protection from prosecution to those "vulnerable persons" with pending applications for asylum, withholding of removal, or CAT relief	SUPPORT	
SA 3972	Leahy (D-VT)	~deletes the injunction-stripping language of bill sections 421-423. These sections make it more difficult to get meaningful relief when DHS misinterprets immigration laws, whether the affected individuals are asylees, LPRs, guestworkers, or S. 2611 legalization applicants.	SUPPORT	
SA 4061	Lieberman (D-CT)	~establishes within DHS new Office of Immigration Policy, to coordinate all DHS policies and programs relating to immigration and border security.	SUPPORT	
	Leahy (D-VT)	~restores protection to refugees who are the unintended victims of broad anti-terrorism laws	SUPPORT	
SA 4020	Brownback (R-KS) Lieberman (D-CT)	~safeguards the rights of asylum seekers and others in immigration detention by: requiring the videotaping of interviews at ports of entry (to ensure CBP follows proper procedures and alien's	SUPPORT	

		statements are recorded accurately); mandating accurate translation services; mandating an initial parole determination be made by DHS within 72 hours of the alien's detention, and a de novo review by an immigration judge within two weeks after that; establishing consistent criteria for the release determination; requiring that DHS develop new standards or modify existing standards to improve detention conditions in several areas, including the use of shackling and solitary confinement, and access to legal counsel and medical care; mandating that Non-criminal non-violent detainees be separated from inmates with criminal convictions; establishing an Office of Detention Oversight within DHS to conduct inspections of detention facilities and investigations; and requiring the nation-wide expansion of a "secure alternatives" program, providing more humane alternatives to prisons and jails for detainees.		
	Burns (R-MT)	~Prohibits counting of undocumented for reapportionment purposes		
SA 3980	Cornyn (R-TX)	~Requires that some fees/fines paid by undocumented to become legalized go to a health care fund to reimburse hospitals		
	Santorum (R-PA)	~provides that to obtain a visa under the H-1b visa cap, a foreign professor who intends to teach at an American university must speak fluent English.		
	Santorum (R-PA)	~adds countries to the Visa Waiver Program that contributed substantially to U.S. coalition efforts in the war in Iraq and Afghanistan, and that are members of the European Union. (Note: this amendment is designed to allow Poland visa waiver status).		
	Sessions (R-AL)	~clarifies that undocumented immigrants who become legalized are prohibited from public benefits		
SA 4124	Burns (R-MT)	~study of the effects of undocumented aliens on apportionment		
SA 4108	Sessions (R-AL)	~no EITC benefits for undocumented aliens		