Jerry Moran

MDM13854 S.L.C.

AMENDMENT NO._____ Calendar No._____

Purpose: To improve the bill by facilitating the creation of American jobs by immigrant entrepreneurs.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 744

To provide for comprehensive immigration reform and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. MORAN

Viz:

On page 1150, strike lines 21 through 24 and insert the following:

"(D) ENTREPRENEURSHIP.—

"(i) EMPLOYMENT.—An alien who is an entrepreneur—

"(I) shall be allocated 10 points if the alien's business entity in the United States employs at least 2 United States citizens or legal permanent residents in a zone 1 occupation, a zone 2 occupation, or a zone 3 occupation;

"(II) shall be allocated 15 points if the alien's business entity in the United States employs at least 2 United States citizens or legal permanent residents in a zone 4 occupation or a zone 5 occupation; ~~or~~

~~"(III) shall be allocated 25 points if the alien's business entity in the United States employs at least 25 United States citizens or legal permanent residents in a zone 1 occupation, a zone 2 occupation, a zone 3 occupation, a zone 4 occupation, or a zone 5 occupation.~~

"(ii) BUSINESS SUCCESS.—A qualified entrepreneur (as defined in subsection (b)(6)(A)), who holds a valid nonimmigrant visa and whose business entity was purchased by another United States business entity, shall be allocated 15 points.

On page 1160, line 11, strike "(c)" and insert the following:

(c) STUDY.—Not later than 2 years after the date on which the first merit-based immigrant visa is issued pursuant to section 203(c) of the Immigration and Nationality Act, as added by section 2301(a)(2) of this Act, the Secretary shall submit a report to Congress that analyzes the issuance of such visas to immigrant entrepreneurs.

(d)

On page 1850, line 6, strike "super".

On page 1851, line 18, strike "super".

On page 1853, line 14, strike "Section 203(b)" and insert the following:

"(a) IN GENERAL.—Section 203(b)".

On page 1854, line 13, insert "and" after the semicolon.

On page 1854, beginning on line 14, strike "submits" and all that follows through "(IV)" on line 17.

Beginning on page 1855, line 25, strike "from such qualified entrepreneur, the parents, spouse, son, or daughter of such qualified entrepreneur, or".

On page 1856, strike lines 14 through 21 and insert the following:

"(II) has been filled by a United States citizen or legal permanent resident who is not the qualified entrepreneur or the spouse, son, or daughter of the qualified entrepreneur; and

"(III) is compensated at a rate comparable to the median income of similar employees in the region or in a manner common and comparable to the business entity's industry.

On page 1859, line 5, strike "SUPER".

On page 1859, line 6, strike "super".

On page 1860, strike lines 3 through 9 and insert the following:

"(III) each of whom in the previous 3 years has made qualified in-

vestments totaling not less than $50,000 in United States business entities which are less than 5 years old.

On page 1862, lines 8 and 9, strike "and chief operating officer" and insert ", chief operating officer, chief marketing officer, chief design officer, and chief creative officer".

On page 1864, line 9, strike "super".

On page 1864, line 19, strike "$500,000" and insert "$250,000".

On page 1865, line 3, strike "$750,000" and insert "$500,000".

On page 1866, line 2, strike "super".

On page 1866, line 12, strike "$500,000" and insert "$250,000".

On page 1866, line 20, strike "$500,000" and insert "$400,000".

On page 1867, between lines 4 and 5, insert the following:

(b) AUTHORIZATION OF DUAL INTENT FOR INVEST IMMIGRANTS.—Section 214 (8 U.S.C. 1184) is amended—

(1) in subsection (b), by striking "subparagraph (L) or (V)" and inserting "subparagraph (L), (V), or (X)"; and

(2) in subsection (h), as amended by sections 2403(c) and 4401(b), by striking "or (W)" and inserting "(W), or (X)".

On page 1869, strike lines 1 through 21 and insert the following:

(1) the number of immigrant and nonimmigrant visas issued to entrepreneurs for each fiscal year;

(2) an accounting of the excess demand for immigrant visas if the annual allocation is insufficient in any fiscal year to meet demand;

(3) the number and percentage of entrepreneurs able to meet thresholds for nonimmigrant renewal and adjustment to permanent resident status under the amendments made by this subtitle;

(4) an analysis of the economic impact of entrepreneurs holding immigrant and nonimmigrant visas authorized under this subtitle and the amendments made by this subtitle, including—

(A) job and revenue creation;

(B) increased investments; and

(C) growth within business sectors and regions;

(5) a description and breakdown of types of businesses created by entrepreneurs granted nonimmigrant or immigrant visas;

(6) the number of businesses established by entrepreneurs holding immigrant and nonimmigrant visas authorized under this subtitle and the amendments made by this subtitle that are purchased by another United States business entity;

(7) except for the Secretary's initial report under this subsection, a description of the percentage of the businesses initially created by the entrepreneurs granted immigrant and nonimmigrant visas authorized under this subtitle and the amendments made by this subtitle, that are still in operation; and

(8) any recommendations for improving the programs established under this subtitle and the amendments made by this subtitle.