

S 2454

Securing America's Borders Act

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Mar 16, 2006

Current Status: Cloture on the bill not invoked in Senate by Yea-Nay Vote. 36 - 62. Record Vote Number: 90. (consider

Latest Action: Cloture on the bill not invoked in Senate by Yea-Nay Vote. 36 - 62. Record Vote Number: 90.

(consideration: CR S3358; text: CR S3358) (Apr 7, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/2454>

Sponsor

Name: Sen. Frist, William H. [R-TN]

Party: Republican • **State:** TN • **Chamber:** Senate

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
109 S 2611	Related bill	May 25, 2006: Passed Senate with amendments by Yea-Nay Vote. 62 - 36. Record Vote Number: 157.
109 HR 4437	Related bill	Jan 27, 2006: Read twice and referred to the Committee on the Judiciary.

Securing America's Borders Act - Provides for increases in the numbers of federal immigration enforcement-related positions and technological assets for use along the borders, including Department of Defense (DOD) equipment.

Provides for: (1) border control facilities construction; (2) land border port of entry construction and improvements; (3) border patrol checkpoints; and (4) fencing, barrier, and road construction and improvements in the Yuma and Tucson sectors.

Directs the Secretary of Homeland Security (Secretary) to develop: (1) a comprehensive land and maritime border surveillance plan; (2) a National Strategy for Border Security; and (3) a southern border study.

Directs the Secretary of State to: (1) report to Congress on improving the exchange of North American security information; (2) work with Canada and Mexico to assist Guatemala and Belize in border security activities; and (3) work with appropriate countries to share information and track Central American gang members.

Provides for biometric data (including entry-exit data collection), document, and other border security enhancements.

Makes all aliens inadmissible on terrorism-related grounds ineligible for asylum. Increases the class of aliens ineligible on security-related grounds for cancellation of removal or voluntary departure.

Makes alien members of criminal street gangs inadmissible and deportable. Denies temporary protected status to gang members.

Revises alien smuggling provisions. Directs the Secretary to establish the American Local and Interior Enforcement Needs (ALIEN) Task Force to respond to the use of government transportation infrastructure to further unlawful alien trafficking.

Provides a mandatory minimum sentence for carrying or using a firearm during an alien smuggling crime.

Revises illegal entry, reentry after removal, and related criminal penalty provisions. Makes it a crime to knowingly be illegally present in the United States.

Revises passport and visa provisions. Criminalizes: (1) trafficking in passports; (2) executing a scheme to defraud a person in connection with any federal immigration matter; and (3) knowing use of any immigration document issued or designed for use by another.

Makes an alien convicted of a passport or visa violation inadmissible and removable.

Revises and increases penalties for marriage fraud.

Continues the institutional removal program (IRP) and authorizes its expansion to all states.

Revises voluntary departure provisions.

Prohibits the knowing sale of firearms to, or the possession of firearms by, an alien parolee.

Establishes a ten-year statute of limitations for specified immigration-related offenses.

States that no provision of law shall be construed to provide immigration benefits to an alien who poses a security threat,

is under investigation for removal, or for whom background checks have not been completed.

Provides reimbursement to states and local government for costs associated with: (1) processing undocumented criminal aliens through the criminal justice system; and (2) immigration enforcement training.

Authorizes grants for Indian tribes with lands adjacent to an international border of the United States that have been adversely affected by illegal immigration.

Revises alien registration provisions.

Requires, with exceptions, mandatory detention of an alien apprehended illegally seeking to enter the United States at a U.S. port of entry or land or maritime border as of October 1, 2006. Provides that during the interim period an alien must post a bond of at least \$5,000 for release pending a removal hearing.

Includes in the definition of aggravated felony a third drunk driving conviction.

Requires expedited removal of an illegal alien apprehended within 100 miles of the border and within 14 days of entry.

Prohibits certain sex offenders from sponsoring an immigrant applicant.

Affirms state law enforcement authority to assist (including transfer to federal custody) the federal government in enforcing U.S. immigration laws during the normal course of law enforcement duties. Provides for related federal reimbursement of state costs.

Provides for listing of immigration violators in the National Crime Information Center Database.

Makes it unlawful to: (1) knowingly hire, recruit, or refer an unauthorized alien; or (2) hire, recruit, or refer a person without complying with identification and employment documentation verification requirements.

Directs the Secretary to implement, and sets forth the provisions of, an electronic employment verification system.

Establishes in the Treasury the Employer Compliance Fund.

Provides for visa backlog reductions. Authorizes unused visa number recapture. Exempts immediate relatives of U.S. citizens from the annual cap on family-based immigration. Increases: (1) employment-based green cards; and (2) per-country limits for family-sponsored and employment-based immigrants. Reallocates immigrant visas.

Revises student visa and advanced degree visa provisions.

Makes the J-1 visa (medical services in underserved areas) program permanent.

Consolidates immigration appeals into the U.S. Court of Appeals for the Federal Circuit.

Authorizes the Board of Immigration Appeals to reverse an immigration judge's removal decision without remand.

Eliminates judicial review of visa revocation.

Authorizes reinstatement of a prior removal order against an alien illegally reentering the United States.

Requires an alien applying for withholding of removal to establish that his or her life or freedom would be threatened in the country of return, and that race, religion, nationality, or political or social group would be a central factor in such

threat.

Subjects removal appeals to an initial certification of reviewability process by a single judge of the Federal Circuit Court of Appeals.

Limits attorney awards in final orders of removal.

Requires, with exceptions, the Board of Immigration Appeals to hear cases in three-member panels.

Actions Timeline

- **Apr 7, 2006:** Considered by Senate. (consideration: CR S3348-3359)
- **Apr 7, 2006:** Cloture on the motion to commit the bill not invoked in Senate by Yea-Nay Vote. 38 - 60. Record Vote Number: 89. (consideration: CR S3357-3358; text: CR S3357)
- **Apr 7, 2006:** Motion by Senator Frist to reconsider the vote by which cloture was not invoked [Record Vote Number 89] entered in Senate.
- **Apr 7, 2006:** Cloture on the bill not invoked in Senate by Yea-Nay Vote. 36 - 62. Record Vote Number: 90. (consideration: CR S3358; text: CR S3358)
- **Apr 6, 2006:** Considered by Senate. (consideration: CR S3167-3199)
- **Apr 5, 2006:** Considered by Senate. (consideration: CR S2850-2863, S2865-2896)
- **Apr 5, 2006:** Motion by Senator Frist to commit to Senate Committee on the Judiciary with instructions that the committee report back forthwith the following amendment (SA 3424) made in Senate.
- **Apr 5, 2006:** Cloture motion on the motion to commit the bill presented in Senate. (consideration: CR S2895-2896; text: CR S2895)
- **Apr 5, 2006:** Cloture motion on the bill presented in Senate. (consideration: CR S2896; text: CR S2896)
- **Apr 4, 2006:** Considered by Senate. (consideration: CR S2863-2895)
- **Apr 3, 2006:** Considered by Senate. (consideration: CR S2699-2725)
- **Mar 31, 2006:** Considered by Senate. (consideration: CR S2681-2686)
- **Mar 30, 2006:** Considered by Senate. (consideration: CR S2553-2594)
- **Mar 29, 2006:** Measure laid before Senate by unanimous consent. (consideration: CR S2511-2526)
- **Mar 28, 2006:** Cloture motion on the motion to proceed withdrawn by unanimous consent in Senate.
- **Mar 27, 2006:** Sponsor introductory remarks on measure. (CR S2398-2399)
- **Mar 16, 2006:** Introduced in Senate
- **Mar 16, 2006:** Introduced in the Senate. Read twice. Ordered Placed on Senate Legislative Calendar under General Orders. Calendar No. 376.
- **Mar 16, 2006:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S2393)
- **Mar 16, 2006:** Cloture motion on the motion to proceed to the measure presented in Senate. (consideration: CR S2393; text: CR S2393)

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