

S 1639

A bill to provide for comprehensive immigration reform and for other purposes.

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Jun 18, 2007

Current Status: Returned to the Calendar. Calendar No. 208.

Latest Action: Returned to the Calendar. Calendar No. 208. (Jun 28, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/1639>

Sponsor

Name: Sen. Kennedy, Edward M. [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (1 total)

| Cosponsor | Party / State | Role | Date Joined |
|----------------------------|---------------|------|--------------|
| Sen. Specter, Arlen [R-PA] | R · PA | | Jun 18, 2007 |

Committee Activity

No committee referrals or activity are recorded for this bill.

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

| Bill | Relationship | Last Action |
|------------|--------------|---|
| 110 S 1348 | Related bill | Jun 7, 2007: Motion by Senator Reid to reconsider the vote by which cloture on the bill was not invoked [Record Vote Number 204] entered in Senate. (consideration: CR S7279-7280; text: CR S7279) |

Establishes specified benchmarks which must be met before the guest worker and legalization programs under this Act may be initiated respecting: (1) operational control of the the border with Mexico; (2) Border Patrol increases; (3) border barriers, including vehicle barriers, fencing, radar, and aerial vehicles; (4) detention capacity for illegal aliens apprehended crossing the U.S.-Mexico border; (5) workplace enforcement, including an electronic employment verification system; and (6) Z-visa (as established by this Act) alien processing.

Establishes in the Treasury the Immigration Security Account to assist the Department of Homeland Security (DHS) in meeting benchmark requirements.

Sets forth border security and enforcement provisions, including provisions respecting: (1) personnel and asset increases and enhancements, including Shadow Wolves units; (2) a National Strategy for Border Security and a National Land Border Security Plan; (3) border security initiatives, including biometric data enhancements, document integrity, and additional ports of entry; (4) a biometric entry-exit system; (5) cooperation with Mexico; (6) forfeiture of conveyances; (7) border security on federal lands; (8) a border relief grant program for a tribal, state, or local law enforcement agency in a border-proximate or high-impact area county; and (9) increased federal detention space.

Northern Border Prosecution Initiative Reimbursement Act - Directs the Attorney General to carry out the Northern Border Prosecution Initiative to reimburse northern border entities for costs incurred for handling case dispositions of criminal cases that are federally initiated but federally declined-referred.

Secure and Safe Detention and Asylum Act - Sets forth detention procedures and standards. Establishes: (1) an Office of Detention Oversight; and (2) a detention alternatives program.

Sets forth interior enforcement provisions, including provisions respecting: (1) additional immigration personnel; (2) detention and removal; (3) alien sex offenders and protection of immigrants from convicted sex offenders; (4) alien street gang members; (5) illegal entry and reentry; (6) passport and immigration fraud; (7) criminal aliens, including continuation of the Institutional Removal Program (IRP); (8) voluntary departure; (9) detention and alternatives; (10) criminal penalties; (11) alien smuggling; (12) tribal lands security; (13) state and local enforcement of immigration laws; (14) expedited removal; and (15) the Justice Prisoner and Alien Transfer System.

Makes it unlawful to knowingly hire, recruit, or refer for a fee an unauthorized alien.

Sets forth employment eligibility verification system provisions.

Provides for: (1) disclosure of certain taxpayer identity information to DHS; (2) establishment of the state records improvement grant program which may be used to help states comply with REAL ID requirements; and (3) establishment of the voluntary advanced verification program to verify employee identity.

Sets forth Internal Revenue Service (IRS) and Social Security Administration (SSA) immigration-related enforcement provisions.

Establishes a temporary Y-visa program for non-seasonal (Y-1) and seasonal workers (Y-2) (which replaces the H-2B category). Provides for: (1) a two-year Y-1 admission with two additional two-year extensions (must be outside the United States for 12 months after working in the United States for two years), and a 10-month Y-2 admission; (2) issuance of Y-3 nonimmigrant visas for accompanying or following spouse and children; (3) three-year Y-1 commuter workers; (4)

establishment in the Treasury of a State Impact Assistance Account and a state impact assistance grant program; (5) U.S. worker protection; (6) employer requirements; (7) specified annual admissions caps; and (8) bilateral agreements with countries of Y-visa nonimmigrants as a condition of making such visas available.

Establishes the Standing Commission on Immigration and Labor Markets.

Requires the Department of Labor to establish a publicly available electronic job registry link to state job registries.

Replaces the seasonal agricultural nonimmigrant temporary worker (H-2A visa) labor certification requirement with a labor condition application filing. Revises work condition provisions. Establishes the Commission on Agricultural Wage Standards. Provides for a 10-month period of admission with a dairy worker exception.

Revises student visa provisions respecting: (1) off campus work; (2) distance learning; (3) dual intent; and (4) graduate students in mathematics, engineering, natural sciences, or information technology.

Revises H-1B visa (specialty occupation) provisions, including: (1) annual admissions cap increases; (2) employer requirements; (3) degree requirements; (4) merit-based extension of stay; and (5) government requirements.

Revises L-visa (intracompany transfer) provisions, including limitations on start-up company petition approvals.

Provides L-visa and H-1B visa whistleblower protections.

Makes the Conrad J-1 visa (foreign physicians in medically underserved areas) waiver program permanent.

Increases family-sponsored immigrant visas until backlogs are adjudicated.

Establishes a merit-based immigrant evaluation system.

Redefines "immediate relative." Eliminates specified family categories. Creates a new: (1) preference category for parents of U.S. citizens who are at least 21 years old; and (2) hardship category for persons who would have met eliminated categories.

Eliminates the diversity visa program.

Creates a new special visitor visa for parents of U.S. citizens and for spouses and minor children of Y-1 visa holders.

Increases per-country-limits for family-based and employment-based immigrants.

Establishes a nonimmigrant Z-visa category for illegal aliens who have been continuously physically present in the United States since January 1, 2007, and are: (1) employed and seek to continue working or studying (Z-1); (2) spouses, ex-spouses who were victims of domestic abuse, and parents over 65 years old of such workers (Z-2); or (3) children under 18 years old on the date of application who are the natural born or legally adopted child of the working Z-visa holder (Z-3).

Prohibits nonimmigrant status adjustment. Permits permanent resident status adjustment under a specified earned adjustment process, including: (1) a probationary period; (2) filing at a U.S. consulate abroad; and (3) payment of penalty.

Sets forth provisions respecting: (1) ineligibility; (2) fees and penalties; (3) security and law enforcement checks; (4) tax liability; (5) four-year admission and four-year extensions; (6) benefits termination; (7) employment; (8) administrative and judicial review; and (9) information disclosure.

Development, Relief, and Education for Alien Minors Act of 2007 or DREAM Act of 2007 - Authorizes adjustment to permanent resident status for certain Z-visa long-term U.S. residents who entered the United States before reaching 16 years old.

Exempts Z-visa aliens from the provision denying an unlawful alien's eligibility for higher education benefits based on state residence unless a U.S. national is similarly eligible without regard to such state residence.

Agricultural Job Opportunities, Benefits, and Security Act of 2007, or AgJOBS Act of 2007 - Establishes a nonimmigrant Z-A visa category for agricultural workers and their dependents who have performed qualifying periods of agricultural work in the United States during the two-year period ending December 31, 2006.

Permits permanent resident status adjustment under a specified earned adjustment process, including: (1) a probationary period; (2) filing at a U.S. consulate abroad; and (3) payment of penalty.

Sets forth provisions respecting: (1) admissibility; (2) security and background checks; (3) application requirements; (4) Z-visa caps; (5) five-year ineligibility for certain federal benefits; (6) visa termination; and (7) fines and penalties.

Establishes in the Treasury the Agricultural Worker Immigration Status Adjustment Account.

Provides that fingerprints provided by a qualifying individual at the time of military enlistment shall satisfy naturalization fingerprint requirements.

S.I. Hayakawa National Language Amendment Act of 2007 - Makes English the national language of the U.S. government. Directs the U.S. government to preserve and enhance the role of English as the U.S. national language.

Renames the Office of Citizenship as the Office of Citizenship and Integration. Directs the Office to provide grants to states and municipalities for creation of New Americans Integration Councils.

Establishes the Presidential Award for Business Leadership in Promoting American Citizenship.

Directs: (1) the Secretary of Education to develop an electronic English learning program; (2) the National Science Foundation (NSF) to establish an American competitiveness scholarship program; and (3) the Government Accountability Office (GAO) to conduct a study of the immigration appeals appellate process.

Unaccompanied Alien Child Protection Act of 2007 - Addresses the care and custody of unaccompanied alien children with no lawful immigration status and no parent or legal guardian in the United States who is available to provide care and physical custody.

Directs immigration officers who find such children at U.S. land borders or ports of entry to permit them to withdraw their applications for admission and return to their country of nationality or last habitual residence.

Gives the Office of Refugee Resettlement jurisdiction over the care and custody of all unaccompanied alien children with specified exceptions. Requires federal departments or agencies to transfer such children in their custody to the Office.

Specifies the order of preference for placing released children, including custody rights of parents and legal guardians. Requires the Office to protect such children from smugglers and traffickers.

Prohibits the placement of such children in adult detention facilities or in facilities housing delinquent children unless they exhibit violent or criminal behavior.

Expresses the sense of Congress that children should not be repatriated into threatening settings.

Requires the Executive Office for Immigration Review to implement model guidelines for the legal representation of alien children in immigration proceedings.

Revise special immigrant juvenile visa provisions. Requires such children apprehended by DHS, except those subject to contiguous country rules, to be placed in removal proceedings. Exempts such children from certain bars to asylum.

Makes the Office responsible for: (1) placement suitability assessments; and (2) ensuring that minimum standards of care are met for residential alternatives to detention.

Wartime Treatment Study Act - Establishes: (1) the Commission on Wartime Treatment of European Americans; and (2) the Commission on Wartime Treatment of Jewish Refugees.

Actions Timeline

- **Jun 28, 2007:** Considered by Senate. (consideration: CR S8641-8651)
- **Jun 28, 2007:** Cloture on the bill not invoked in Senate by Yea-Nay Vote. 46 - 53. Record Vote Number: 235. (consideration: CR S8650-8651; text: CR S8650)
- **Jun 28, 2007:** Returned to the Calendar. Calendar No. 208.
- **Jun 27, 2007:** Considered by Senate. (consideration: CR S8526, S8532-8573, S8579-8599)
- **Jun 26, 2007:** Motion to proceed to measure considered in Senate. (consideration: CR S8378-8398)
- **Jun 26, 2007:** Cloture on the motion to proceed invoked in Senate by Yea-Nay Vote. 64 - 35. Record Vote Number: 228. (consideration: CR S8398; text: CR S8398)
- **Jun 26, 2007:** Motion to proceed to consideration of measure agreed to in Senate by Unanimous Consent.
- **Jun 26, 2007:** Measure laid before Senate by motion. (consideration: CR S8403-8404)
- **Jun 26, 2007:** Cloture motion on the bill presented in Senate. (consideration: CR S8403; text: CR S8403)
- **Jun 20, 2007:** Motion to proceed to consideration of measure made in Senate. (consideration: CR S8158-8159)
- **Jun 20, 2007:** Cloture motion on the motion to proceed presented in Senate. (consideration: CR S8159; text: CR S8159)
- **Jun 20, 2007:** Motion to proceed to consideration of measure withdrawn in Senate. (consideration: CR S8159)
- **Jun 19, 2007:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 208.
- **Jun 18, 2007:** Introduced in Senate
- **Jun 18, 2007:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time.