

HR 2399

Alien Smuggling and Terrorism Prevention Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Immigration

Introduced: May 21, 2007

Current Status: For Further Action See H.R.2830.

Latest Action: For Further Action See H.R.2830. (Apr 28, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/2399>

Sponsor

Name: Rep. Hill, Baron P. [D-IN-9]

Party: Democratic • State: IN • Chamber: House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Boyda, Nancy E. [D-KS-2]	D · KS		May 21, 2007
Rep. Donnelly, Joe [D-IN-2]	D · IN		May 21, 2007
Rep. Mahoney, Tim [D-FL-16]	D · FL		May 21, 2007
Rep. Ellsworth, Brad [D-IN-8]	D · IN		May 22, 2007
Rep. Murphy, Patrick J. [D-PA-8]	D · PA		May 22, 2007
Rep. Shuler, Heath [D-NC-11]	D · NC		May 22, 2007
Rep. Wilson, Charles A. [D-OH-6]	D · OH		May 22, 2007

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security Committee	House	Referred To	May 21, 2007
Judiciary Committee	House	Referred To	May 21, 2007
Judiciary Committee	Senate	Referred To	May 23, 2007

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

Bill	Relationship	Last Action
110 HR 2830	Related bill	Apr 28, 2008: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 721.
110 S 2463	Related bill	Dec 13, 2007: Read twice and referred to the Committee on the Judiciary.

Alien Smuggling and Terrorism Prevention Act of 2007 - (Sec. 3) Directs the Department of Homeland Security (DHS) to check against all available terrorist watchlists those alien smugglers and smuggled individuals who are interdicted at U.S. land, air, and sea borders.

(Sec. 4) Amends the Immigration and Nationality Act to specify the following criminal penalties for individuals convicted of smuggling unlawful aliens into the United States (applicable to each alien for whom the offense applies): (1) fine and/or up to five years incarceration for smuggling; (2) fine and/or up to one year incarceration for transit of the defendant's spouse, child, sibling, parent, grandparent, or niece or nephew; (3) fine and/or up to 10 years incarceration for recruiting to enter, or harboring or transporting in the United States for profit, commercial advantage, or private financial gain; (4) fine and/or incarceration for 3 to 10 years for a first or second offense of knowingly bringing an illegal alien into the United States for profit, commercial advantage, or private financial gain, or if the offense was committed with the intent or reason to believe that the individual will commit a federal or state offense punishable by more than one year's incarceration, and 5 to 15 years incarceration for any subsequent violation; (5) fine and/or up to 20 years incarceration if the offense results in serious bodily injury or jeopardizes a person's life; (6) fine and/or up to 30 years incarceration if the defendant knew the individual was a terrorist or intended to engage in terrorist activity; and (7) fine and/or incarceration for any term of years/or life if the offense involves kidnaping or attempt to kidnap, the conduct required for aggravated sexual abuse, or an attempt to kill.

Provides extraterritorial jurisdiction over such offenses.

Limits a defense of necessity for knowingly bringing an illegal alien into the United States from the high seas.

Exempts from certain of such violations (transporting or harboring in the United States) a bona fide nonprofit, religious organization in the United States (or its agents or officers) that encourages, invites, or enables an alien who is present in the United States to serve as a volunteer minister or missionary for such organization in the United States, provided the minister or missionary has been a member of the denomination for at least one year.

(Sec. 5) Amends federal criminal law to specify the following maritime penalties (in addition to the current fine/five-year incarceration): (1) fine and/or up to 10 years incarceration for offenses committed in the course of smuggling, trafficking, shipping, stolen property, drug, and other offenses; (2) fine and/or up to 15 years incarceration for offenses resulting in serious bodily injury or transportation under inhumane conditions; or (3) fine and/or incarceration for any term of years/or life if the offense results in death or involves kidnaping or attempt to kidnap, the conduct required for aggravated sexual abuse or an attempt to commit such abuse, or an attempt to kill.

Limits a defense of necessity with respect to such maritime enforcement.

Defines "transportation under inhumane conditions" as the transportation of persons in an engine compartment, storage compartment, or other confined space, transportation at an excessive speed, transportation of a number of persons in excess of the rated capacity of the means of transportation, or intentionally grounding a vessel in which persons are being transported.

(Sec. 6) Directs the United States Sentencing Commission to review and amend as appropriate sentencing guidelines and policy statements applicable to persons convicted of alien smuggling offenses and criminal failure to heave to or obstruction of boarding.

Actions Timeline

- **Apr 28, 2008:** For Further Action See H.R.2830.
- **May 23, 2007:** Received in the Senate and Read twice and referred to the Committee on the Judiciary.
- **May 22, 2007:** Mr. Berman moved to suspend the rules and pass the bill, as amended.
- **May 22, 2007:** Considered under suspension of the rules. (consideration: CR H5576-5580)
- **May 22, 2007:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2399.
- **May 22, 2007:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **May 22, 2007:** Considered as unfinished business. (consideration: CR H5582-5583)
- **May 22, 2007:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 412 - 0, 6 Present (Roll no. 400).(text: CR H5576-5578)
- **May 22, 2007:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 412 - 0, 6 Present (Roll no. 400). (text: CR H5576-5578)
- **May 22, 2007:** Motion to reconsider laid on the table Agreed to without objection.
- **May 21, 2007:** Introduced in House
- **May 21, 2007:** Referred to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.