

S 330

Border Security and Immigration Reform Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Immigration

Introduced: Jan 18, 2007

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Jan 18, 2007)

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Sponsor

Name: Sen. Isakson, Johnny [R-GA]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jan 18, 2007

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Border Security and Immigration Reform Act of 2007 - 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) recruitment of former military personnel; (2) border control facilities construction; (3) land border port of entry construction and improvements; (4) border patrol checkpoints; and (5) 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; (3) a plan to combat human smuggling; (4) a southern border study; and (5) a schedule for equipping all land border ports of entry with the U.S.-Visitor and Immigrant Status Indicator Technology (US-VISIT) system.

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; (3) work with Mexico on border security and drug and human smuggling matters; and (4) 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.

Requires mandatory detention of an alien (other than a Mexican national) apprehended illegally seeking to enter the United States at a U.S. port of entry or land or maritime border as of October 1, 2008, unless such alien is: (1) paroled into the United States for humanitarian or public benefit reasons; or (2) permitted to withdraw an admission application and immediately departs from the United States.

Exempts from mandatory detention an alien who is a native or citizen of a Western Hemisphere country with whose government the United States does not have full diplomatic relations (currently, Cuba).

Makes it unlawful for a person to elude customs, immigration, or agriculture inspection.

Authorizes (until January 1, 2009) a state (including the District of Columbia, Puerto Rico, Guam, and the Virgin Islands) to use National Guard personnel or units of such state for up to 21 days annually to perform certain border security activities in Arizona, California, New Mexico, and Texas.

Extends the implementation date for the Western Hemisphere Travel Initiative.

Directs the Secretary of State to develop a Passport Card for U.S. citizen travel from the United States to Canada, Mexico, the Caribbean countries, and Bermuda. Directs the Secretary and the Secretary of State to enter into a state enrollment demonstration program with at least one state.

Border Law Enforcement Relief Act of 2007 - Authorizes the Secretary to award grants to a tribal, state, or local law enforcement agency located in a county within 100 miles of a U.S. border with Canada or Mexico, or in a county beyond 100 miles that has been certified by the Secretary as a high impact area to provide assistance in addressing: (1) criminal activity that occurs by virtue of proximity to the border; and (2) the impact of any lack of border security.

Authorizes the Secretary, if the governor of a border state declares an international border security emergency and

requests additional Border Patrol agents, to provide such state with up to 1,000 additional agents.

Raises the annual increase in the number of full-time Border Patrol agents.

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.

Revises provisions respecting detention and removal of aliens under order of removal.

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

Revises alien smuggling provisions. Establishes extraterritorial federal jurisdiction over smuggling offenses. 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. Provides an exception for refugees, asylees, and certain other vulnerable persons.

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

Revises and increases penalties for marriage fraud.

Continues and provides for the expansion to all states of the institutional removal program (IRP).

Revises voluntary departure provisions.

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

Establishes a 10-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. Directs the Secretary to provide sufficient transportation and officers to take state- and locally-apprehended illegal aliens into Department of Homeland Security (DHS) custody.

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.

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

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

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.

Directs the Secretary to: (1) construct or acquire 20 additional detention facilities for aliens detained pending removal (or a decision on removal); (2) utilize cost-effective alternatives, including federal facilities; and (3) consider the transfer of military installations under base closure laws for such purposes.

Requires the office of the U.S. Attorney that is prosecuting a criminal case in federal court to determine whether each defendant is lawfully present in the United States within 30 days of filing the initial case pleadings, and report such information to the court.

Directs the Attorney General to expand the Justice Prisoner and Alien Transfer System (JPATS).

Establishes a W-visa guest worker category for an alien having a residence in a foreign country who is coming to the United States to perform: (1) agricultural labor or services; or (2) any other labor or services.

Prohibits any alien who is unlawfully employed in the United States as of January 1, 2007, from receiving a nonimmigrant W-visa (nonimmigrant guest worker) unless the alien applies for registration and fingerprinting and applies for a guest worker visa within one year.

States that: (1) an illegal alien who fails to register is subject to immediate deportation and is ineligible to receive such a W-visa; and (2) an employer who knowingly employs an illegal alien shall be ineligible to employ a W- visa alien.

Increases criminal penalties for: (1) document fraud; and (2) specified crimes committed by illegal aliens.

States that any program authorized by this Act which grants legal status or status adjustment to any individual who enters or entered the United States in violation of federal law shall be effective on the date that the Secretary submits a written certification to the President and Congress that the border security/enforcement measures and federal detention space increases under this Act have been completed and are operational.

Actions Timeline

- **Jan 18, 2007:** Introduced in Senate
- **Jan 18, 2007:** Sponsor introductory remarks on measure. (CR S754-755)
- **Jan 18, 2007:** Read twice and referred to the Committee on the Judiciary.