

## S 3932

CIR Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Immigration

**Introduced:** Sep 29, 2010

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

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Sep 29, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/3932>

### Sponsor

**Name:** Sen. Menendez, Robert [D-NJ]

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

### Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Leahy, Patrick J. [D-VT]	D · VT		Sep 29, 2010
Sen. Specter, Arlen [D-PA]	D · PA		Nov 17, 2010

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Sep 30, 2010

### Subjects & Policy Tags

**Policy Area:**

Immigration

### Related Bills

*No related bills are listed.*

Comprehensive Immigration Reform Act of 2010 or the CIR Act of 2010 - Prohibits the adjustment of an alien in lawful prospective immigrant status to the status of an alien lawfully admitted for permanent residence until specified border related enhancements in personnel and resources are established, funded, and operational.

Provides for additional: (1) Customs and Border Protection (CBP) personnel; (2) Immigration and Custom Enforcement personnel; (3) Department of Homeland Security (DHS) personnel assigned to investigate alien smuggling; (4) immigration litigation attorneys; (5) ports of entry along the northern and southern borders; and (6) equipment and assets along the borders, including unmanned aerial systems, cameras, sensors, satellites, and radar coverage.

Directs the Secretary of State to report annually regarding the exchange of North American security information, including immigration and counterterrorism security, between the United States, Canada, and Mexico.

Provides for: (1) increased border-related cooperation with Mexico; and (2) expansion of Customs-Trade Partnership Against Terrorism programs.

Provides reimbursement for state and county prosecutors in border states for prosecuting federally initiated and referred drug cases.

Authorizes border relief grants for tribal, state, or local law enforcement and related agencies in proximity to the border or in a designated High Intensity Drug Trafficking Area.

Establishes the Immigration and United States-Mexico Border Enforcement Commission.

Amends the Immigration and Nationality Act to set out the scope of state and local immigration related enforcement authority.

Directs the Secretaries of the Department of Homeland Security (Secretary), Interior, Agriculture, Defense, and Commerce to develop: (1) a land border protection strategy; and (2) a borderlands environmental monitoring plan.

Directs the Secretary to establish a Border Communities Liaison Office in every Border Patrol sector on the southern or northern border.

Amends the visa waiver program to: (1) require program countries to report lost or stolen visas; (2) set a maximum 2% visa overstay rate for program countries; and (3) require an eligibility reevaluation of program countries.

Requires establishment of a visa exit tracking system.

Increases: (1) civil penalties for illegal entry; (2) fines and penalties for the reentry of previously removed aliens; and (3) penalties for stowaways, vessels, and aircraft.

Revises voluntary departure provisions.

Authorizes appropriations for the state criminal alien assistance program (SCAAP).

Revises passport, visa, and immigration fraud provisions. Directs: (1) the United States Sentencing Commission to promulgate or amend passport fraud sentencing guidelines; and (2) the Attorney General to develop immigration fraud prosecution guidelines.

Expands the definition of conveyances subject to forfeiture for smuggling.

Makes it unlawful for any person to: (1) sell a firearm or ammunition to a person who has not been lawfully admitted for U.S. permanent residence; and (2) evade a federal checkpoint.

Requires commercial vehicles transporting passengers from outside the United States to a U.S. airport or seaport to provide arrival/departure manifests.

Authorizes grants for Indian tribes adversely affected by illegal immigration.

Authorizes Department and Foreign Service special agents to investigate: (1) illegal passport or visa issuance or use; (2) Department-related identity theft and document fraud; and (3) federal offenses committed in the special maritime and territorial jurisdictions (nonmilitary) of the United States.

Makes inadmissible and deportable convicted alien: (1) sex offenders who fail to register; and (2) street gang members.

Sets forth, with respect to immigration-related enforcement activities: (1) protections for vulnerable populations; (2) apprehension procedures involving children; and (3) detention procedures for families with children.

Requires the creation of secure alternatives to detention (excluding alien terrorists).

Enumerates humane detention conditions, including conditions for children and vulnerable populations. Requires the appointment of a detention commission.

Authorizes access to counsel for aliens in removal proceedings.

Sets forth protections for: (1) refugees, including designation of refugee groups; and (2) stateless persons in the United States, including mechanisms for regularizing status.

Establishes in DHS a position of Immigration and Customs Enforcement Ombudsman.

Provides that refugees (and spouses and children) shall be lawful permanent residents as of the date of their admittance.

Eliminates the one-year time limit for filing an asylum claim.

Sets forth immigration-related worksite enforcement provisions, including provisions regarding: (1) unlawful employment of aliens; (2) document verification; (3) the employment verification system; and (4) responsibilities of the Social Security Administration (SSA).

Permits the disclosure of certain of taxpayer information to DHS.

Requires the issuance of: (1) fraud-, tamper-, and wear-resistant Social Security cards; and (2) machine-readable, tamper-resistant employment authorization documents with biometric identifiers.

Makes it an unfair immigration employment practice to discriminate based on national origin or citizenship status.

Revises immigration-related activities of the SSA and the Internal Revenue Service (IRS).

Authorizes appropriations for responsibilities under this Act for: (1) DHS; (2) SSA; (3) the Department of Justice (DOJ); and (4) the Department of State.

Establishes the Standing Commission on Immigration, Labor Markets, and the National Interest.

Establishes a temporary guest worker program (H-2C nonimmigrant visa). Permits H-2C aliens to apply for lawful permanent resident status. Sets forth employer compliance provisions.

Revises family and employment based immigrant visa provisions. Recaptures unused FY1992-FY2007 visas.

Revises the definition of "immediate relative" to include the spouse and child of a lawful permanent resident.

Expands specified family-unity exceptions to unlawful presence-based inadmissibility.

Establishes a status adjustment process for certain military family members.

Redefines "child" to include a stepchild under 21 years old.

Provides specified relief for orphans and widows/widowers.

Authorizes the status adjustment of a fiancée/fiance or alien spouse and any minor children (K-visa) to conditional permanent resident status if such alien marries a petitioner within three months after U.S. admission.

Exempts children of naturalized Filipino World War II veterans from worldwide or numerical immigrant limitations.

Permits: (1) the reopening of certain Haitian status adjustment applications; and (2) workers who are eligible for permanent resident status adjustment but for whom a visa number is unavailable to apply for adjustment.

Return of Talent Act - Permits a lawful permanent resident to return to his or her country of citizenship or nationality for up to two years in order to contribute to such country's postconflict or natural disaster reconstruction activities.

Uniting American Families Act of 2010 - Includes a "permanent partner" within the scope of the Immigration and Nationality Act.

Revises: (1) the EB-5 visa (alien investor) program; and (2) student visa eligibility.

Eliminates sunset provisions for: (1) the special immigrant nonminister religious worker program; and (2) the Conrad State 30 program (alien physicians working in medically underserved areas).

Makes Irish nationals who come to provide specialty work in the United States eligible for E-3 visas.

Expands the S-visa (aliens who assist law enforcement) category.

Sets forth protections for foreign workers recruited abroad.

Establishes in the Treasury the H-2B Employment Certification Application Fee Account.

Specifies employer actions to be taken to recruit U.S. workers prior to filing for admission of H-2B (nonagricultural temporary) workers. Sets forth H-2B and U.S. worker protections.

Revises H-1B (specialty occupation) provisions regarding: (1) employer applications; (2) complaints against employers; and (3) worker protections.

Limits the new office hiring of L-1 (intracompany transfer) nonimmigrants for more than one year.

Protect Our Workers from Exploitation and Retaliation Act or the POWER Act - Expands the U-visa (crime victims) category.

Agricultural Job Opportunities, Benefits, and Security Act of 2010 or the AgJOBS Act of 2010 - Confers "blue card status" upon an alien who has fulfilled specified periods of agricultural employment in the United States. Provides for adjustment to permanent resident status if the alien has fulfilled other specified periods of agricultural employment in the United States.

Revises H-2A visa (agricultural labor or temporary or seasonal services) provisions.

Establishes the Commission on Agricultural Wage Standards.

Creates a lawful prospective immigrant status for qualifying aliens present in the United States. Provides for status adjustment to lawful permanent resident.

Development, Relief, and Education for Alien Minors Act of 2010 or the DREAM Act of 2010 - Repeals the provision making unlawful aliens ineligible for higher education benefits based on state residence unless a U.S. citizen or national is eligible for such benefits without regard to state residence.

Authorizes the Secretary to cancel the removal of, and adjust to conditional permanent resident status, an alien who: (1) entered the United States before his or her 16th birthday and has been present in the United States for at least five years immediately preceding enactment of this Act; (2) is a person of good moral character; (3) is not inadmissible or deportable under specified grounds; (4) at the time of application, has been admitted to an institution of higher education or has earned a high school or equivalent diploma; (5) from the age of 16 and older, has never been under a final order of exclusion, deportation, or removal; and (6) was under age 35 on the date of this Act's enactment.

Provides for status adjustment to lawful permanent resident.

Establishes in the Treasury: (1) the Department of Homeland Security Legalization Program Account; (2) the Department of State Legalization Program Account; and (3) the Immigration Reform Penalty Account.

Provides grants to states for integrated English literacy, U.S. history, and civics education programs.

Provides: (1) tax credits to teachers of English language learners; (2) tax deductions for the expenses of becoming certified as such teachers; and (3) tax credits for employers' expenses in making adult education and literacy services available to their employees.

Establishes the Presidential Award for Business Leadership in Promoting United States Citizenship.

Renames the Office of Citizenship within the U.S. Citizenship and Immigration Services of DHS as the Office of Citizenship and New Americans. Authorizes the Office to make grants to states and subgrants to local governments to assist them in integrating immigrants.

Authorizes grants for: (1) public education and community training; and (2) community-based organizations to assist naturalization applicants.

Provides for the status adjustment to lawful permanent resident of certain: (1) Haitian orphans; (2) Liberian nationals; and (3) victims of terrorism.

Establishes: (1) the Commission on Wartime Treatment of European Americans to review U.S. government wartime treatment of European Americans and European Latin Americans; and (2) the Commission on Wartime Treatment of Jewish Refugees to review the U.S. government's refusal to allow entry into the United States of Jewish and other refugees fleeing persecution or genocide in Europe.

Provides grants to state courts for programs to assist individuals with limited English proficiency to access and understand state court proceedings.

### **Actions Timeline**

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- **Sep 29, 2010:** Introduced in Senate
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