

## HR 2640

Border Security and Enforcement Act of 2023

**Congress:** 118 (2023–2025, Ended)

**Chamber:** House

**Policy Area:** Immigration

**Introduced:** Apr 17, 2023

**Current Status:** Referred to the Subcommittee on Trade.

**Latest Action:** Referred to the Subcommittee on Trade. (Dec 17, 2024)

**Official Text:** <https://www.congress.gov/bill/118th-congress/house-bill/2640>

### Sponsor

**Name:** Rep. McClinton, Tom [R-CA-5]

**Party:** Republican • **State:** CA • **Chamber:** House

### Cosponsors (2 total)

| Cosponsor                   | Party / State | Role | Date Joined  |
|-----------------------------|---------------|------|--------------|
| Rep. Biggs, Andy [R-AZ-5]   | R · AZ        |      | Apr 17, 2023 |
| Rep. Lesko, Debbie [R-AZ-8] | R · AZ        |      | Apr 27, 2023 |

### Committee Activity

| Committee                         | Chamber | Activity        | Date         |
|-----------------------------------|---------|-----------------|--------------|
| Education and Workforce Committee | House   | Discharged From | May 5, 2023  |
| Homeland Security Committee       | House   | Discharged From | May 5, 2023  |
| Judiciary Committee               | House   | Reported By     | May 5, 2023  |
| Ways and Means Committee          | House   | Referred to     | Dec 17, 2024 |

### Subjects & Policy Tags

#### Policy Area:

Immigration

## Related Bills

| Bill        | Relationship | Last Action  |
|-------------|--------------|--|
| 118 HR 2    | Related bill | Dec 17, 2024: Referred to the Subcommittee on Social Security.                 |
| 118 HR 319  | Related bill | Dec 17, 2024: Referred to the Subcommittee on Social Security.                 |
| 118 S 2824  | Related bill | Jan 11, 2024: Committee on Banking, Housing, and Urban Affairs. Hearings held. |
| 118 HR 6477 | Related bill | Dec 7, 2023: Sponsor introductory remarks on measure. (CR H6733-6734)          |
| 118 HR 2580 | Related bill | Apr 13, 2023: Referred to the House Committee on the Judiciary.                |
| 118 HR 2417 | Related bill | Mar 30, 2023: Referred to the House Committee on the Judiciary.                |
| 118 HR 2432 | Related bill | Mar 30, 2023: Referred to the House Committee on the Judiciary.                |
| 118 HR 2436 | Related bill | Mar 30, 2023: Referred to the House Committee on the Judiciary.                |
| 118 HR 2453 | Related bill | Mar 30, 2023: Referred to the House Committee on the Judiciary.                |
| 118 S 505   | Related bill | Feb 16, 2023: Read twice and referred to the Committee on the Judiciary.       |

## Summary (as of May 5, 2023)

### Border Security and Enforcement Act of 2023

This bill addresses issues regarding immigration and border security, including by imposing limits to asylum eligibility.

For example, the bill

- limits asylum eligibility to non-U.S. nationals (*aliens* under federal law) who arrive in the United States at a port of entry;
- allows for the removal of a non-U.S. national to a country other than that individual's country of nationality or last lawful habitual residence, whereas currently this type of removal may only be to a country that has an agreement with the United States for such removal;
- expands the types of crimes that may make an individual ineligible for asylum, such as a conviction for driving while intoxicated causing another person's serious bodily injury or death;
- requires a fee of at least \$50 for each asylum application, except for certain applications involving an unaccompanied alien child;
- authorizes the Department of Homeland Security (DHS) to suspend the introduction of certain non-U.S. nationals at an international border if DHS determines that the suspension is necessary to achieve operational control of that border;
- prohibits states from imposing licensing requirements on immigration detention facilities used to detain minors;
- authorizes immigration officers to permit an unaccompanied alien child to withdraw their application for admission into the United States even if the child is unable to make an independent decision to withdraw the application;
- imposes additional penalties for overstaying a visa; and
- requires DHS to create an electronic employment eligibility confirmation system modeled after the E-Verify system and requires all employers to use the system.

## **Actions Timeline**

---

- **Dec 17, 2024:** Referred to the Subcommittee on Trade.
- **May 5, 2023:** Reported (Amended) by the Committee on Judiciary. H. Rept. 118-47, Part I.
- **May 5, 2023:** Committee on Ways and Means discharged.
- **May 5, 2023:** Committee on Education and the Workforce discharged.
- **May 5, 2023:** Committee on Homeland Security discharged.
- **May 5, 2023:** Placed on the Union Calendar, Calendar No. 31.
- **Apr 19, 2023:** Committee Consideration and Mark-up Session Held.
- **Apr 19, 2023:** Ordered to be Reported (Amended) by the Yeas and Nays: 23 - 15.
- **Apr 17, 2023:** Introduced in House
- **Apr 17, 2023:** Referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, Education and the Workforce, and 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.