

104TH CONGRESS
1ST SESSION

S. 580

To amend the Immigration and Nationality Act to control illegal immigration to the United States, reduce incentives for illegal immigration, reform asylum procedures, strengthen criminal penalties for the smuggling of aliens, and reform other procedures.

IN THE SENATE OF THE UNITED STATES

MARCH 21 (legislative day, MARCH 16), 1995

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to control illegal immigration to the United States, reduce incentives for illegal immigration, reform asylum procedures, strengthen criminal penalties for the smuggling of aliens, and reform other procedures.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Illegal Immigration
5 Control and Enforcement Act of 1995”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

- Sec. 1. Short title.
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- Sec. 113. Improved Border Patrol training.
- Sec. 114. Border equipment and infrastructure improvement authority.

PART B—EXPANDED BORDER INSPECTION PERSONNEL, SUPPORT, AND FACILITIES

- Sec. 121. Additional land border inspectors.

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- Sec. 131. Bar to collateral attacks on deportation orders in unlawful reentry prosecutions.
- Sec. 132. Form of deportation hearings.
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1 **TITLE I—ILLEGAL IMMIGRATION**

2 **CONTROL AND ENFORCEMENT**

3 **PART A—INCREASED BORDER PATROL,**

4 **SUPPORT, TRAINING, AND RESOURCES**

5 **SEC. 111. BORDER PATROL EXPANSION AND DEPLOYMENT.**

6 (a) INCREASED NUMBER OF BORDER PATROL POSI-
 7 TIONS.—Subject to subsection (b), in each of the fiscal
 8 years 1996, 1997, and 1998, the Attorney General—

9 (1) shall increase by no fewer than 700 the
 10 number of positions for full-time, active-duty Border
 11 Patrol agents within the Immigration and Natu-
 12 ralization Service above the number of such posi-
 13 tions for which funds were allotted for the preceding
 14 fiscal year; and

1 **SEC. 113. IMPROVED BORDER PATROL TRAINING.**

2 Section 103 of the Immigration and Nationality Act
3 (8 U.S.C. 1103) is amended by adding at the end the fol-
4 lowing new subsection:

5 “(e)(1) The Attorney General shall ensure that all
6 Border Patrol personnel, and any other personnel of the
7 Service who are likely to have contact with undocumented
8 or improperly documented persons, or other immigrants,
9 in the course of their official duties, receive in-service
10 training adequate to ensure that all such personnel respect
11 the rights, personal safety, and dignity of such persons
12 at all times.

13 “(2) The Attorney General shall ensure that the an-
14 nual report to Congress of the Service—

15 “(A) describes in detail actions taken by the At-
16 torney General to meet the requirement set forth in
17 paragraph (1);

18 “(B) incorporates specific findings by the Attor-
19 ney General with respect to the nature and scope of
20 any verified incident of conduct by Border Patrol
21 personnel that—

22 “(i) was not consistent with paragraph (1);
23 and

24 “(ii) was not described in a previous an-
25 nual report; and

1 “(C) sets forth specific recommendations for
2 preventing any similar incident in the future.”.

3 **SEC. 114. BORDER EQUIPMENT AND INFRASTRUCTURE IM-**
4 **PROVEMENT AUTHORITY.**

5 (a) IMPROVED EQUIPMENT AND TECHNOLOGY.—In
6 order to facilitate or improve the detection, interdiction,
7 and reduction by the Immigration and Naturalization
8 Service of illegal immigration into the United States, the
9 Attorney General is authorized to acquire and utilize any
10 Federal equipment (including, but not limited to, fixed
11 wing aircraft, helicopters, four-wheel drive vehicles, se-
12 dans, night vision goggles, night vision scopes, and sensor
13 units) determined available for transfer to the Department
14 of Justice by any other agency of the Federal Government
15 upon request of the Attorney General.

16 (b) IMPROVED INFRASTRUCTURE.—(1) The Attorney
17 General may, from time to time, in consultation with the
18 Secretary of the Treasury, identify those physical improve-
19 ments to the infrastructure of the international land bor-
20 ders of the United States necessary to expedite the inspec-
21 tion of persons and vehicles attempting to lawfully enter
22 the United States in accordance with existing policies and
23 procedures of the Immigration and Naturalization Service,
24 the United States Customs Service, and the Drug En-
25 forcement Agency.

1 (2) Such improvements to the infrastructure of the
2 land border of the United States shall be substantially
3 completed and fully funded in those portions of the United
4 States where the Attorney General, in consultation with
5 the Committees on the Judiciary of the House of Rep-
6 resentatives and the Senate, objectively determines the
7 need to be greatest or most immediate before the Attorney
8 General may obligate funds for construction of any im-
9 provement otherwise located.

10 **PART B—EXPANDED BORDER INSPECTION**

11 **PERSONNEL, SUPPORT, AND FACILITIES**

12 **SEC. 121. ADDITIONAL LAND BORDER INSPECTORS.**

13 (a) INCREASED PERSONNEL.—In order to eliminate
14 undue delay in the thorough inspection of persons and ve-
15 hicles lawfully attempting to enter the United States, the
16 Attorney General and Secretary of the Treasury shall in-
17 crease, by approximately equal numbers in each of the fis-
18 cal years 1996 and 1997, the number of full-time land
19 border inspectors assigned to active duty by the Immigra-
20 tion and Naturalization Service and the United States
21 Customs Service to a level adequate to assure full staffing
22 during peak crossing hours of all border crossing lanes
23 now in use, under construction, or whose construction has
24 been authorized by Congress.

1 (b) DEPLOYMENT OF PERSONNEL.—The Attorney
2 General and the Secretary of the Treasury shall, to the
3 maximum extent practicable, ensure that the personnel
4 hired pursuant to subsection (a) shall be deployed among
5 the various Immigration and Naturalization Service sec-
6 tors in proportion to the number of land border crossings
7 measured in each such sector during the preceding fiscal
8 year.

9 **PART C—DETENTION AND DEPORTATION**

10 **SEC. 131. BAR TO COLLATERAL ATTACKS ON DEPORTATION**

11 **ORDERS IN UNLAWFUL REENTRY PROSECU-**
12 **TIONS.**

13 Section 276 of the Immigration and Nationality Act
14 (8 U.S.C. 1326) is amended by adding at the end the fol-
15 lowing new subsection:

16 “(c) In any criminal proceeding under this section,
17 an alien may not challenge the validity of the deportation
18 order described in subsection (a)(1) or subsection (b) un-
19 less the alien demonstrates that—

20 “(1) the alien has exhausted any administrative
21 remedies that may have been available to seek relief
22 against such order;

23 “(2) the deportation proceedings at which the
24 order was issued improperly deprived the alien of the
25 opportunity for judicial review; and

1 “(3) the entry of the order was fundamentally
2 unfair.”.

3 **SEC. 132. FORM OF DEPORTATION HEARINGS.**

4 The second sentence of section 242(b) of the Immi-
5 gration and Nationality Act (8 U.S.C. 1252(b)) is amend-
6 ed by inserting before the period the following: “, except
7 that nothing in this sentence precludes the Attorney Gen-
8 eral from authorizing proceedings by electronic or tele-
9 phonic media (with the consent of the alien) or, where
10 waived or agreed to by the parties, in the absence of the
11 alien”.

12 **SEC. 133. DEPORTATION AS A CONDITION OF PROBATION.**

13 Section 3563(b) of title 18, United States Code, is
14 amended—

15 (1) by striking “or” at the end of paragraph

16 (21);

17 (2) by striking the period at the end of para-
18 graph (22) and inserting “; or”; and

19 (3) by adding at the end the following:

20 “(23) be ordered deported by a United States
21 District Court, or United States Magistrate Court,
22 pursuant to a stipulation entered into by the defend-
23 ant and the United States under section 143 of this
24 Act, except that, in the absence of a stipulation, the
25 United States District Court or the United States

1 Magistrate Court, may order deportation as a condi-
2 tion of probation, if, after notice and hearing pursu-
3 ant to section 242A(c) of the Immigration and Na-
4 tionality Act, the Attorney General demonstrates by
5 clear and convincing evidence that the alien is de-
6 portable.”.

7 **PART D—ENHANCED CRIMINAL ALIEN**

8 **DEPORTATION AND TRANSFER**

9 **SEC. 141. EXPANSION IN DEFINITION OF “AGGRAVATED**
10 **FELONY”.**

11 (a) EXPANSION IN DEFINITION.—Section 101(a)(43)
12 of the Immigration and Nationality Act (8 U.S.C.
13 1101(a)(43)) is amended as follows:

14 (1) in paragraph (D), strike “\$100,000” and
15 insert “\$10,000”; and

16 (2) in paragraphs (F), (G), and (O) strike “the
17 term of imprisonment imposed is at least 5 years”
18 and all parenthetical text appearing within that
19 phrase, and insert “punishable by imprisonment for
20 3 years or more”;

21 (3) in paragraph (J)—

22 (A) strike “for which a sentence of 5
23 years’ imprisonment or more may be imposed”
24 and insert “punishable by imprisonment for 3
25 years or more”; and

1 (B) strike “offense described” and insert
2 “offense described in sections 1084 of title 18
3 (if it is a second or subsequent offense), section
4 1955 of such title (relating to gambling of-
5 fenses), and”;

6 (4) in paragraph (K)—

7 (A) strike “or” after the semicolon in sub-
8 paragraph (i);

9 (B) insert “or” after the semicolon in sub-
10 paragraph (ii); and

11 (C) insert, as new subparagraph (iii), “is
12 described in sections 2421, 2422 or 2423 of
13 title 18, United States Code (relating to trans-
14 portation for the purpose of prostitution) for
15 commercial advantage.”;

16 (5) in paragraph (L), insert as new subpara-
17 graph (iii): “section 601 of the National Security
18 Act of 1947, title 50, United States Code (relating
19 to protecting the identity of undercover agents);

20 (6) in paragraph (M) strike “\$200,000” and in-
21 sert “\$10,000”.

22 (7) redesignate paragraphs (P) and (Q) as
23 paragraphs (R) and (S), respectively, and add—

24 (A) as new paragraph (P) the following:

25 “any offense relating to commercial bribery,

1 counterfeiting, forgery or trafficking in vehicles
2 whose identification numbers have been altered,
3 which is punishable by imprisonment for 3
4 years or more”; and

5 (B) as new paragraph (Q) the following:
6 “any offense relating to perjury or subornation
7 of perjury which is punishable by imprisonment
8 for 3 years or more;” and

9 (8) in redesignated paragraph (R), strike “15”
10 and insert “5”.

11 (b) EFFECTIVE DATE.—The amendment made by
12 this section applies to convictions entered before, on, or
13 after the date of enactment of this Act.

14 **SEC. 142. RESTRICTING DEFENSES TO DEPORTATION FOR**
15 **CERTAIN CRIMINAL ALIENS.**

16 Section 243(h)(2) of the Immigration and Nationality
17 Act (8 U.S.C. 1253(h)(2)) is amended—

18 (1) by striking “or” at the end of subparagraph
19 (C);

20 (2) by striking the period at the end of sub-
21 paragraph (D) and inserting “; or”; and

22 (3) by adding at the end the following new sub-
23 paragraph:

24 “(E) the alien has been convicted of an ag-
25 gravated felony.”.

1 **SEC. 143. DENIAL OF DISCRETIONARY RELIEF TO ALIENS**
2 **CONVICTED OF AGGRAVATED FELONIES.**

3 (a) INELIGIBILITY FOR SUSPENSION OF DEPORTA-
4 TION.—Section 244 of the Immigration and Nationality
5 Act (8 U.S.C. 1254) is amended by adding at the end the
6 following new subsection:

7 “(g) Suspension of deportation and adjustment of
8 status under subsection (a)(2) shall not be available to any
9 alien who has been convicted of an aggravated felony.”.

10 (b) APPLICATION OF EXCLUSION FOR DRUG OF-
11 FENSES.—Section 212(h) of the Immigration and Nation-
12 ality Act (8 U.S.C. 1182(h)) is amended in the second
13 sentence by inserting “or any other aggravated felony”
14 after “torture”.

15 (c) ADJUSTMENT OF STATUS; CHANGE OF NON-
16 IMMIGRANT CLASSIFICATION.—(1) Section 245(c) of the
17 Immigration and Nationality Act (8 U.S.C. 1255(c)) is
18 amended—

19 (A) by striking “or” after “section
20 212(d)(4)(C)”; and

21 (B) by inserting “; or (5) an alien who has been
22 convicted of an aggravated felony” immediately after
23 “section 217”.

24 (2) Section 248 of such Act (8 U.S.C. 1258) is
25 amended—

1 (A) by striking “and” at the end of paragraph
2 (3);

3 (B) by striking the period at the end of para-
4 graph (4) and inserting “; and”; and

5 (C) by adding at the end the following new
6 paragraph:

7 “(5) an alien convicted of an aggravated fel-
8 ony.”.

9 **SEC. 144. JUDICIAL DEPORTATION.**

10 Section 242A of the Immigration and Nationality Act
11 (8 U.S.C. 1252a(d)) is amended—

12 (1) by striking paragraph (1) and inserting the
13 following:

14 “(1) AUTHORITY.—Notwithstanding any other
15 provision of this Act, a United States district court
16 shall have jurisdiction to enter a judicial order of de-
17 portation at the time of sentencing against an
18 alien—

19 “(A) whose criminal conviction causes such
20 alien to be conclusively presumed to be deport-
21 able under section 241(a)(2)(A)(iii) (relating to
22 conviction of an aggravated felony);

23 “(B) who has at any time been convicted
24 of a violation of section 276 (a) or (b) of the
25 Immigration and Nationality Act;

1 “(C) who has at any time been convicted
2 of a violation of section 275 of the Immigration
3 and Nationality Act; or

4 “(D) who is otherwise deportable pursuant
5 to sections 241(a)(1)(A) through 241(a)(5), in-
6 clusive, of the Immigration and Nationality Act
7 (8 U.S.C. 1251).

8 A United States Magistrate shall have jurisdiction to
9 enter a judicial order of deportation at the time of
10 sentencing where the alien has been convicted of a
11 misdemeanor offense and the alien is deportable
12 under this Act.”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(5) STIPULATED JUDICIAL ORDER OF DEPOR-
16 TATION.—The United States Attorney, with the con-
17 currence of the Commissioner, may, pursuant to
18 Federal Rule of Criminal Procedure 11, enter into
19 a plea agreement which calls for the alien, who is de-
20 portable under this Act, to waive the right to notice
21 and a hearing under this section, and stipulate to
22 the entry of a judicial order of deportation from the
23 United States as a condition of the plea agreement
24 or as a condition of probation or supervised release,
25 or both. The United States District Court, in both

1 felony and misdemeanor cases, and the United
2 States Magistrate Court in misdemeanors cases, may
3 accept such a stipulation and shall have jurisdiction
4 to enter a judicial order of deportation pursuant to
5 the terms of such stipulation.”.

6 **SEC. 145. NEGOTIATIONS FOR INTERNATIONAL AGREE-**
7 **MENTS.**

8 (a) NEGOTIATIONS WITH OTHER COUNTRIES.—The
9 Secretary of State, together with the Attorney General,
10 may enter into an agreement with any foreign country pro-
11 viding for the incarceration in that country of any individ-
12 ual who—

13 (1) is a national of that country; and

14 (2) is an alien who—

15 (A) is not in lawful immigration status in
16 the United States, or

17 (B) on the basis of conviction of a criminal
18 offense under Federal or State law, or on any
19 other basis, is subject to deportation under the
20 Immigration and Nationality Act,

21 for the duration of the prison term to which the individual
22 was sentenced for the offense referred to in subparagraph
23 (B). Any such agreement may provide for the release of
24 such individual pursuant to parole procedures of that
25 country.

1 (b) PRIORITY.—In carrying out subsection (a), the
2 Secretary of State should give priority to concluding an
3 agreement with any country for which the President deter-
4 mines that the number of individuals described in sub-
5 section (a) who are nationals of that country in the United
6 States represents a significant percentage of all such indi-
7 viduals in the United States.

8 (c) It is the sense of the Congress that, effective on
9 the date of enactment of this Act, no new treaty providing
10 for the transfer of aliens from Federal or State incarcer-
11 ation facilities to a foreign incarceration facility should
12 permit the prisoner to refuse the transfer.

13 (d) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated such sums as may be
15 necessary to carry out this section.

16 **SEC. 146. ANNUAL REPORT.**

17 Not later than 12 months after the date of enactment
18 of this Act, and annually thereafter, the Attorney General
19 shall submit to the Committees on the Judiciary of the
20 House of Representatives and of the Senate a report de-
21 tailing—

22 (1) the number of illegal aliens incarcerated in
23 Federal and State prisons for having committed felo-
24 nies;

1 (2) programs and plans underway in the De-
2 partment of Justice to ensure the prompt removal
3 from the United States of criminal aliens subject to
4 exclusion or deportation; and

5 (3) methods for identifying and preventing the
6 unlawful reentry of aliens who have been convicted
7 of criminal offenses in the United States and re-
8 moved from the United States.

9 **SEC. 147. ADMISSIBILITY OF VIDEOTAPED WITNESS TESTI-**
10 **MONY.**

11 Section 274 of the Immigration and Nationality Act
12 (8 U.S.C. 1324) is amended by adding at the end thereof
13 the following:

14 “(d) Notwithstanding the provisions of the Federal
15 Rules of Evidence, the videotaped (or otherwise audio-
16 visually preserved) deposition of a witness to a violation
17 of subsection (a) who has been deported or otherwise ex-
18 pelled from the United States or is otherwise unable to
19 testify may be admitted into evidence in an action brought
20 for that violation if the witness was available for cross ex-
21 amination and the deposition otherwise complies with the
22 Federal Rules of Evidence.”.

1 **TITLE II—ILLEGAL IMMIGRA-**
2 **TION INCENTIVE REDUCTION**

3 **PART A—PUBLIC BENEFITS CONTROL**

4 **SEC. 211. AUTHORITY TO STATES AND LOCALITIES TO**
5 **LIMIT ASSISTANCE TO ALIENS AND TO DIS-**
6 **TINGUISH AMONG CLASSES OF ALIENS IN**
7 **PROVIDING GENERAL PUBLIC ASSISTANCE.**

8 (a) IN GENERAL.—Subject to subsection (b) and not-
9 withstanding any other provision of law, a State or local
10 government may prohibit or otherwise limit or restrict the
11 eligibility of aliens or classes of aliens for programs of gen-
12 eral cash public assistance furnished under the law of the
13 State or a political subdivision of a State.

14 (b) LIMITATION.—The authority under subsection (a)
15 may be exercised only to the extent that any prohibitions,
16 limitations, or restrictions are not inconsistent with the
17 eligibility requirements for comparable Federal programs
18 or are less restrictive. For the purposes of this section,
19 attribution to an alien of a sponsor's income and resources
20 for purposes of determining the eligibility for and amount
21 of benefits of an alien shall be considered less restrictive
22 than a prohibition of eligibility.

1 **SEC. 212. INCREASED MAXIMUM CRIMINAL PENALTIES FOR**
2 **FORGING OR COUNTERFEITING SEAL OF A**
3 **FEDERAL DEPARTMENT OR AGENCY TO FA-**
4 **CILITATE BENEFIT FRAUD BY AN UNLAWFUL**
5 **ALIEN.**

6 Section 506 of title 18, United States Code, is
7 amended to read as follows:

8 **“§ 506. Seals of departments or agencies**

9 “(a) Whoever—

10 “(1) falsely makes, forges, counterfeits, muti-
11 lates, or alters the seal of any department or agency
12 of the United States, or any facsimile thereof;

13 “(2) knowingly uses, affixes, or impresses any
14 such fraudulently made, forged, counterfeited, muti-
15 lated, or altered seal or facsimile thereof to or upon
16 any certificate, instrument, commission, document,
17 or paper of any description; or

18 “(3) with fraudulent intent, possesses, sells, of-
19 fers for sale, furnishes, offers to furnish, gives away,
20 offers to give away, transports, offers to transport,
21 imports, or offers to import any such seal or fac-
22 simile thereof, knowing the same to have been so
23 falsely made, forged, counterfeited, mutilated, or al-
24 tered,

25 shall be fined under this title, or imprisoned not more than
26 5 years, or both.

1 “(b) Notwithstanding subsection (a) or any other
2 provision of law, if a forged, counterfeited, mutilated, or
3 altered seal of a department or agency of the United
4 States, or any facsimile thereof, is—

5 “(1) so forged, counterfeited, mutilated, or al-
6 tered;

7 “(2) used, affixed, or impressed to or upon any
8 certificate, instrument, commission, document, or
9 paper of any description; or

10 “(3) with fraudulent intent, possessed, sold, of-
11 fered for sale, furnished, offered to furnish, given
12 away, offered to give away, transported, offered to
13 transport, imported, or offered to import,

14 with the intent or effect of facilitating an unlawful alien’s
15 application for, or receipt of, a Federal benefit, the pen-
16 alties which may be imposed for each offense under sub-
17 section (a) shall be two times the maximum fine, and 3
18 times the maximum term of imprisonment, or both, that
19 would otherwise be imposed for an offense under sub-
20 section (a).

21 “(c) For purposes of this section—

22 “(1) the term ‘Federal benefit’ has the meaning
23 given such term under section 293(c)(1);

24 “(2) the term ‘unlawful alien’ has the meaning
25 given such term under section 293(c)(2); and

1 “(3) each instance of forgery, counterfeiting,
2 mutilation, or alteration shall constitute a separate
3 offense under this section.”.

4 **SEC. 213. SPONSORSHIP ENHANCEMENT.**

5 (a) IN GENERAL.—An alien who—

6 (1) is excludable under section 212(a)(4) of the
7 Immigration and Nationality Act (8 U.S.C.
8 1182(a)(4));

9 (2) has not given a suitable bond (as described
10 in section 213 of the Immigration and Nationality
11 Act (8 U.S.C. 1183)); and

12 (3) is otherwise admissible into the United
13 States;

14 may only be admitted into the United States when spon-
15 sored by an individual (referred to in this section as the
16 alien’s “sponsor”) who enters into a legally binding con-
17 tract with the United States that guarantees financial re-
18 sponsibility for the alien until such alien becomes a United
19 States citizen.

20 (b) CONTRACT ENHANCEMENT.—

21 (1) IN GENERAL.—A contract described in sub-
22 section (a) shall provide—

23 (A) that the sponsor shall be liable for any
24 costs incurred by any Federal, State, or politi-

1 cal subdivision of a State for general public
2 cash assistance provided to such alien;

3 (B) that the sponsor shall—

4 (i) within 20 days of the alien's ad-
5 mission into the United States, purchase a
6 policy of private health insurance (which
7 meets the minimum guidelines established
8 under paragraph (2)) on behalf of such
9 alien and provide the Immigration and
10 Naturalization Service with proof of such
11 purchase; and

12 (ii) make any necessary premium pay-
13 ments for such policy on behalf of such
14 alien for the duration of the sponsor's re-
15 sponsibility under the contract; and

16 (C) that the sponsor's responsibility under
17 the contract will continue until the date on
18 which the alien becomes a citizen of the United
19 States.

20 (2) GUIDELINES FOR HEALTH INSURANCE
21 POLICIES.—Not later than 60 days after the date of
22 the enactment of this Act, the Secretary of Health
23 and Human Services, after notice and opportunity
24 for public comment, shall establish minimum guide-

1 lines with respect to private policies of health insur-
2 ance required under paragraph (1)(B)(i) that—

3 (A) specify the coverage and type of the in-
4 surance required; and

5 (B) provide that the Attorney General
6 shall be given notice if the policy lapses or the
7 scope of the coverage changes prior to the end
8 of the sponsor's responsibility under the con-
9 tract.

10 (c) ENFORCEMENT.—

11 (1) IN GENERAL.—If general public cash assist-
12 ance or medical assistance under a State plan for
13 medical assistance approved under section 1902 of
14 the Social Security Act (42 U.S.C. 1396a) is pro-
15 vided to a sponsored alien, the Attorney General, a
16 State, or a political subdivision of a State may bring
17 a civil suit against the sponsor in the United States
18 district court for the district in which the sponsor
19 resides for the recovery of any costs incurred by any
20 Federal, State, or political subdivision of a State in
21 providing such cash benefits or medical assistance
22 provided to such alien.

23 (2) DEPORTATION.—The failure of a sponsor to
24 comply with the terms of the contract described in
25 subsection (b)(1)(B) may, subject to the contract, be

1 grounds for deportation of the sponsored alien in ac-
2 cordance with the provisions of the Immigration and
3 Naturalization Act and the deportation procedures
4 applicable under such Act.

5 (d) EXCEPTIONS TO LIABILITY.—A sponsor or a
6 sponsor’s estate shall not be liable under a contract de-
7 scribed in subsection (a) if the sponsor—

8 (1) dies;

9 (2) if the sponsor’s family becomes impover-
10 ished as determined by the official poverty line (as
11 defined by the Office of Management and Budget
12 and revised annually in accordance with section
13 673(2) of the Omnibus Budget Reconciliation Act of
14 1981 applicable to the family of the size involved)
15 due to unforeseeable circumstances; or

16 (3) is a debtor under title 11, United States
17 Code, as such term is defined in section 101 of such
18 title.

19 (e) PUBLIC CHARGE TEST.—The Attorney General
20 shall record the use of sponsorship by immigrant appli-
21 cants to meet the public charge test for admission to the
22 United States set forth in section 212(a)(4) of the Immi-
23 gration and Naturalization Act (8 U.S.C. 1182(a)(4)).

24 (f) EFFECTIVE DATE.—This section shall apply with
25 respect to initial sponsorship-based applications for legal

1 admission into the United States received on or after the
2 date that is 90 days after the date of the enactment of
3 this Act.

4 **SEC. 214. STATE OPTION UNDER THE MEDICAID PROGRAM**
5 **TO PLACE ANTI-FRAUD INVESTIGATORS IN**
6 **HOSPITALS.**

7 (a) IN GENERAL.—Section 1902(a) of the Social Se-
8 curity Act (42 U.S.C. 1396a(a)) is amended—

9 (1) by striking “and” at the end of paragraph
10 (61);

11 (2) by striking the period at the end of para-
12 graph (62) and inserting “and”; and

13 (3) by adding after paragraph (62) the follow-
14 ing new paragraph:

15 “(63) in the case of a State that is certified by
16 the Attorney General as a high illegal immigration
17 State (as determined by the Attorney General), at
18 the option of the State, establish and operate a pro-
19 gram for the placement of anti-fraud investigators in
20 State, county, and private hospitals located in the
21 State to verify the immigration status and income
22 eligibility of applicants for medical assistance under
23 the State plan prior to the furnishing of medical as-
24 sistance.”.

1 (b) PAYMENT.—Section 1903 of such Act (42 U.S.C.
2 1396b) is amended—

3 (1) by striking “plus” at the end of paragraph
4 (6);

5 (2) by striking the period at the end of para-
6 graph (7) and inserting “plus”; and

7 (3) by adding at the end the following new
8 paragraph:

9 “(8) an amount equal to the Federal medical
10 assistance percentage (as defined in section 1905(b))
11 of the total amount expended during such quarter
12 which are attributable to operating a program under
13 section 1902(a)(63).”.

14 (c) EFFECTIVE DATE.—The amendments made by
15 subsection (a) shall take effect on the first day of the first
16 calendar quarter beginning after the date of the enactment
17 of this Act.

18 **SEC. 215. PORTS-OF-ENTRY BENEFITS TASK FORCE DEM-**
19 **ONSTRATION PROJECTS.**

20 (a) IN GENERAL.—

21 (1) PROJECT DESCRIBED.—The Attorney Gen-
22 eral shall make grants to States to conduct dem-
23 onstration projects in accordance with subsection (b)
24 for the purpose of establishing and operating a task

1 force at one or more southwestern ports-of-entry lo-
2 cated in a State in order to—

3 (A) detect individuals attempting to enter
4 the United States to illegally obtain Federal or
5 State benefits; and

6 (B) identify individuals who have pre-
7 viously illegally obtained such benefits.

8 (2) SOUTHWESTERN PORT-OF-ENTRY.—For
9 purposes of this section, the term “southwestern
10 port-of-entry” means an official entry point along
11 the southwestern land border of the continental
12 United States.

13 (b) REQUIREMENTS OF PROJECT.—A project con-
14 ducted in accordance with this subsection shall provide
15 that a task force under the project shall—

16 (1) interview and investigate an individual en-
17 tering into the United States at a southwestern
18 port-of-entry if the individual is suspected of being
19 an individual described in subparagraphs (A) or (B)
20 of subsection (a)(1) (as determined by comparing
21 the entering individual with a profile (developed by
22 the task force) of individuals described in such sub-
23 paragraphs); and

24 (2) integrate the computer systems of the Im-
25 migration and Naturalization Service and the agency

1 administering the State plan for medical assistance
2 approved under section 1902 of the Social Security
3 Act (42 U.S.C. 1396a) in order to detect individuals
4 described in subparagraphs (A) and (B) of sub-
5 section (a)(1) prior to the individual's entry into the
6 United States at a southwestern port-of-entry.

7 (c) APPLICATIONS.—

8 (1) IN GENERAL.—Each State desiring to con-
9 duct a demonstration project under this section shall
10 prepare and submit to the Attorney General an ap-
11 plication at such time, in such manner, and contain-
12 ing such information as the Attorney General may
13 require.

14 (2) PRIORITY.—The Attorney General shall give
15 priority in awarding grants under this section to
16 States that desire to establish demonstration
17 projects at southwestern ports-of-entry that—

18 (A) have the highest numbers of legal
19 crossings attempted in fiscal year 1995;

20 (B) have the highest numbers of illegal
21 aliens determined by the Attorney General to be
22 resident in the State in which the southwestern
23 port-of-entry is located; and

24 (C) meet such other factors as the Attor-
25 ney General determines are reasonably related

1 to maximizing the degree to which Federal and
2 State benefits fraud may be reduced through
3 operation of the project.

4 (d) SCOPE AND LOCATION.—The Attorney General
5 shall authorize demonstration projects in not less than 6
6 southwestern ports-of-entry under this section.

7 (e) DURATION.—A demonstration project under this
8 section shall be conducted for a period not to exceed 2
9 years.

10 (f) REPORTS.—A State that conducts a demonstra-
11 tion project under this section shall prepare and submit
12 to the Attorney General annual and final reports in such
13 form and containing such information as the Attorney
14 General may require.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated such sums as may be
17 necessary in fiscal years 1996 and 1997 for the purpose
18 of conducting demonstration projects in accordance with
19 this section.

20 **PART B—EMPLOYER SANCTIONS SUPPORT**

21 **SEC. 221. ADDITIONAL IMMIGRATION AND NATURALIZA-**
22 **TION SERVICE INVESTIGATORS.**

23 (a) INVESTIGATORS.—The Attorney General is au-
24 thorized to hire for fiscal years 1996 and 1997 such addi-
25 tional investigators and staff as may be necessary to ag-

1 gressively enforce existing sanctions against employers
2 who employ workers in the United States illegally or who
3 are otherwise ineligible to work in this country.

4 **SEC. 222. ENHANCED PENALTIES FOR UNLAWFUL EMPLOY-**
5 **MENT OF ALIENS.**

6 (a) **HIRING, RECRUITING, AND REFERRAL VIOLA-**
7 **TIONS.**—Section 274A(e)(4) of the Immigration and Na-
8 tionality Act (8 U.S.C. 1324a(e)(4)) is amended—

9 (1) in clause (i), by striking “\$250” and
10 “\$2,000” and inserting “\$1,000” and “\$3,000”, re-
11 spectively;

12 (2) in clause (ii), by striking “\$2,000” and
13 “\$5,000” and inserting “\$3,000” and “\$7,000”, re-
14 spectively; and

15 (3) in clause (iii), by striking “\$3,000” and
16 “\$10,000” and inserting “\$7,000” and “\$20,000”,
17 respectively.

18 (b) **PATTERN OR PRACTICE VIOLATIONS.**—Section
19 274A(f) of such Act is amended by striking “\$3,000” and
20 “six months” and inserting “\$9,000” and “two years”.

21 **SEC. 223. EARNED INCOME TAX CREDIT DENIED TO INDI-**
22 **VIDUALS NOT AUTHORIZED TO BE EM-**
23 **PLOYED IN THE UNITED STATES.**

24 (a) **IN GENERAL.**—Section 32(c)(1) of the Internal
25 Revenue Code of 1986 (relating to individuals eligible to

1 claim the earned income tax credit) is amended by adding
2 at the end the following new subparagraph:

3 “(F) IDENTIFICATION NUMBER REQUIRE-
4 MENT.—The term ‘eligible individual’ does not
5 include any individual who does not include on
6 the return of tax for the taxable year—

7 “(i) such individual’s taxpayer identi-
8 fication number, and

9 “(ii) if the individual is married (with-
10 in the meaning of section 7703), the tax-
11 payer identification number of such indi-
12 vidual’s spouse.”

13 (b) SPECIAL IDENTIFICATION NUMBER.—Section 32
14 of the Internal Revenue Code of 1986 is amended by add-
15 ing at the end the following new subsection:

16 “(k) IDENTIFICATION NUMBERS.—Solely for pur-
17 poses of subsections (c)(1)(F) and (c)(3)(D), a taxpayer
18 identification number means a social security number is-
19 sued to an individual by the Social Security Administra-
20 tion (other than a social security number issued pursuant
21 to clause (II) (or that portion of clause (III) that relates
22 to clause (II)) of section 205(c)(2)(B)(i) of the Social Se-
23 curity Act).”

24 (c) EXTENSION OF PROCEDURES APPLICABLE TO
25 MATHEMATICAL OR CLERICAL ERRORS.—Section

1 6213(g)(2) of the Internal Revenue Code of 1986 (relating
 2 to the definition of mathematical or clerical errors) is
 3 amended by striking “and” at the end of subparagraph
 4 (D), by striking the period at the end of subparagraph
 5 (E) and inserting “, and”, and by inserting after subpara-
 6 graph (E) the following new subparagraph:

7 “(F) an omission of a correct taxpayer
 8 identification number required under section 23
 9 (relating to credit for families with younger
 10 children) or section 32 (relating to the earned
 11 income tax credit) to be included on a return.”

12 (d) EFFECTIVE DATE.—The amendments made by
 13 this section shall apply to taxable years beginning after
 14 December 31, 1995.

15 **SEC. 224. ENHANCED MINIMUM CRIMINAL PENALTIES FOR**
 16 **EXTORTION OR INVOLUNTARY HOLDING OF**
 17 **ALIENS ENGAGED IN UNLAWFUL EMPLOY-**
 18 **MENT.**

19 (a) AMENDMENT TO THE IMMIGRATION AND NA-
 20 TIONALITY ACT.—The Immigration and Nationality Act
 21 (8 U.S.C. 1101 et seq.) is amended by inserting after sec-
 22 tion 274C the following new section:

23 “CRIMINAL PENALTIES FOR EXTORTION OF ALIENS
 24 ENGAGED IN UNLAWFUL EMPLOYMENT

25 “SEC. 274D. (a) ACTIVITIES PROHIBITED.—Any
 26 person who, by threatening to disclose the immigration

1 status of an individual known or suspected not to be a
2 lawful resident of the United States to any Federal, State
3 or local government agency or employee, induces or co-
4 erces (or attempts to induce or coerce) that individual to
5 work for unlawfully low compensation, under unlawfully
6 unsafe or unhealthy conditions, or to obtain from or
7 through the person food, shelter, medical care, medicine,
8 transportation, clothing, tools or other devices or equip-
9 ment, shall be fined in accordance with title 18, United
10 States Code, imprisoned for a first offense not less than
11 5 years or more than 10 years, and imprisoned for subse-
12 quent offenses not less than 10 or more than 15 years,
13 for each individual so threatened.

14 “(b) ADJUSTED SENTENCING GUIDELINES.—Pursu-
15 ant to section 944 of title 28, United States Code, and
16 section 21 of the Sentencing Act of 1987, the United
17 States Sentencing Commission shall promulgate guide-
18 lines, or amend existing guidelines, to provide that an of-
19 fender convicted of violating, or conspiring to violate, this
20 section shall be assigned a base offense level under the
21 guidelines that is—

22 “(1) in the case of a first offense, not lower
23 than 26;

24 “(2) in the case of an offender with one prior
25 felony conviction, not lower than 34; and

1 “(3) in the case of bodily injury to such alien,
2 a required enhancement of between 2 and 6 offense
3 levels in proportion to the severity of the injury in-
4 flicted.

5 “(c) DEFINITION.—As used in this section, the term
6 ‘lawful resident of the United States’ includes any person
7 who is—

8 “(A) a United States citizen or national;

9 “(B) an alien lawfully admitted to the United
10 States for permanent residence;

11 “(C) a nonimmigrant alien described in section
12 101(a)(15);

13 “(D) an asylee;

14 “(E) a refugee;

15 “(F) an alien whose deportation is being with-
16 held under section 243(h);

17 “(G) a parolee; or

18 “(H) a Chinese national described in section
19 2(b) of the Chinese Student Protection Act of 1992
20 (8 U.S.C. 1255 note) who, as of the date of enact-
21 ment of this section, has applied for adjustment of
22 status in accordance with such Act.”.

23 (d) CLERICAL AMENDMENT.—The table of contents
24 of the Immigration and Nationality Act is amended by in-

1 serting after the item relating to section 274C the follow-
 2 ing new item:

“Sec. 274D. Criminal penalties for extortion of aliens engaged in unlawful em-
 ployment.”.

3 **SEC. 225. WORK AUTHORIZATION VERIFICATION.**

4 The Attorney General, together with the Secretary of
 5 Health and Human Services, shall develop and implement
 6 a counterfeit-resistant system to verify work eligibility and
 7 federally-funded public assistance benefits eligibility for all
 8 persons within the United States. If the system developed
 9 includes a document (designed specifically for use for this
 10 purpose), that document shall not be used as a national
 11 identification card, and the document shall not be required
 12 to be carried or presented by any person except at the
 13 time of application for federally funded public assistance
 14 benefits or to comply with employment eligibility verifica-
 15 tion requirements.

16 **PART C—ENHANCED WAGE AND HOUR LAWS**

17 **SEC. 231. INCREASED PERSONNEL LEVELS FOR THE LABOR**
 18 **DEPARTMENT.**

19 (a) INVESTIGATORS.—The Secretary of Labor, in
 20 consultation with the Attorney General, is authorized to
 21 hire in the Wage and Hour Division of the Department
 22 of Labor for fiscal years 1996 and 1997 such additional
 23 investigators and staff as may be necessary to aggressively

1 enforce existing legal sanctions against employers who vio-
2 late current Federal wage and hour laws.

3 (b) ASSIGNMENT OF ADDITIONAL PERSONNEL.—In-
4 dividuals employed to fill the additional positions described
5 in subsection (a) shall be assigned to investigate violations
6 of wage and hour laws in areas where the Attorney Gen-
7 eral has notified the Secretary of Labor that there are
8 high concentrations of aliens present in the United States
9 in violation of law.

10 **SEC. 232. INCREASED NUMBER OF ASSISTANT UNITED**
11 **STATES ATTORNEYS.**

12 The Attorney General is authorized to hire for fiscal
13 years 1996 and 1997 such additional Assistant United
14 States Attorneys as may be necessary to prosecute actions
15 brought under this Act, or intended to directly further
16 Congress' intention to preclude and deter illegal immigra-
17 tion.

18 **TITLE III—ENHANCED SMUG-**
19 **GLING CONTROL AND PEN-**
20 **ALTIES**

21 **SEC. 301. MINIMUM CRIMINAL PENALTIES FOR ALIEN**
22 **SMUGGLING.**

23 (a) MINIMUM ALIEN SMUGGLING PENALTIES.—

24 (1) Section 1324(a)(2)(B) of Title 8, United
25 States Code is amended—

1 (A) by striking “for each transaction con-
2 stituting a violation of this paragraph, regard-
3 less of the number of aliens involved” and in-
4 sserting “for each alien in respect to whom a
5 violation of this paragraph occurs”; and

6 (B) by striking “imprisoned not more than
7 10 years” and inserting “imprisoned for a first
8 offense not less than two and one half or more
9 than 5 years, imprisoned for a second offense
10 not less than 5 years or more than 10 years,
11 and imprisoned for subsequent offenses not less
12 than 10 or more than 15 years”;

13 Pursuant to section 994 of title 28, United States Code,
14 and section 21 of the Sentencing Act of 1987, the United
15 States Sentencing Commission shall promulgate guidelines
16 or amend existing guidelines to provide that an offender
17 convicted of smuggling, transporting, or harboring an un-
18 lawful alien under dangerous or inhumane conditions in
19 violation of title 18, United States Code, section
20 1324(a)(2)(B)(ii) shall be assigned a base offense level
21 under chapter 2 of the sentencing guidelines that is—

22 (1) in the case of a first offense, not lower than
23 22;

24 (2) in the case of an offender with one prior fel-
25 ony conviction, not lower than 26;

1 (3) in the case of an offender with two prior fel-
2 ony convictions, not lower than 32;

3 (4) in the case of bodily injury to such alien, a
4 required enhancement of between 2 and 6 offense
5 levels in proportion to the severity of the injury in-
6 flicted; and

7 (5) in the case of the death of an alien, not
8 lower than 41.

9 **SEC. 302. EXPANDED FORFEITURE FOR SMUGGLING OR**
10 **HARBORING ILLEGAL ALIENS.**

11 Section 274 of the Immigration and Nationality Act
12 (8 U.S.C. 1324(b)) is amended—

13 (1) by amending subsection (b)(1) to read as
14 follows:

15 “(b) SEIZURE AND FORFEITURE.—(1) Any property,
16 real or personal, which facilitates or is intended to facili-
17 tate, or which has been used in or is intended to be used
18 in the commission of a violation of sections 1541, 1542,
19 1543, 1544, 1545, or 1546 of title 18, United States
20 Code, or which constitutes or is derived from or traceable
21 to the proceeds obtained directly or indirectly from a com-
22 mission of a violation of such sections of title 18, United
23 States Code, shall be subject to seizure and forfeiture, ex-
24 cept that—

1 “(A) no property, used by any person as a com-
2 mon carrier in the transaction of business as a com-
3 mon carrier shall be forfeited under the provisions of
4 this section unless it shall appear that the owner or
5 other person in charge of such property was a con-
6 senting party or privy to the illegal act;

7 “(B) no property shall be forfeited under the
8 provisions of this section by reason of any act or
9 omission established by the owner thereof to have
10 been committed or omitted by any person other than
11 such owner while such property was unlawfully in
12 the possession of a person other than the owner in
13 violation of the criminal laws of the United States
14 or of any State; and

15 “(C) no property shall be forfeited under this
16 paragraph to the extent of an interest of any owner,
17 by reason of any act or omission established by that
18 owner to have been committed or omitted without
19 the knowledge or consent of the owner, unless such
20 action or omission was committed by an employee or
21 agent of the owner, and facilitated or was intended
22 to facilitate, or was used in or intended to be used
23 in, the commission of a violation of section 1546 of
24 title 18, United States Code, which was committed
25 by the owner or which was intended to further the

1 business interests of the owner, or to confer any
2 other benefit upon the owner.”;

3 (2) in paragraph (2)—

4 (A) by striking “conveyance” both places it
5 appears and inserting “property”; and

6 (B) by striking “is being used in” and in-
7 serting “is being used in, is facilitating, has fa-
8 cilitated, or was intended to facilitate”;

9 (3) in paragraph (3)—

10 (A) by inserting “(A)” immediately after
11 “(3)”, and

12 (B) by adding at the end the following:

13 “(B) Before the seizure of any real property pursuant
14 to this section, the Attorney General shall provide notice
15 and an opportunity to be heard to the owner of the prop-
16 erty. The Attorney General shall prescribe such regula-
17 tions as may be necessary to carry out this subpara-
18 graph.”;

19 (4) in paragraphs (4) and (5) by striking “a
20 conveyance” and “conveyance” each place such
21 phrase or word appears and inserting “property”;
22 and

23 (5) in paragraph (4) by—

24 (A) striking “or” at the end of subpara-
25 graph (C),

1 (B) by striking the period at the end of
2 subparagraph (D) and inserting “; or”, and

3 (C) by inserting at the end the following
4 new subparagraph:

5 “(E) transfer custody and ownership of
6 forfeited property to any Federal, State, or
7 local agency pursuant to section 616(c) of the
8 Tariff Act of 1930 (19 U.S.C. 1616a(c)).”.

9 **SEC. 303. WIRETAP AUTHORITY FOR ALIEN SMUGGLING IN-**
10 **VESTIGATIONS.**

11 Section 2516(1) of title 18, United States Code, is
12 amended in paragraph (c), by inserting after “trains)” the
13 following: “, or a felony violation of section 1425 (relating
14 to the procurement of citizenship or nationalization unlaw-
15 fully), section 1426 (relating to the reproduction of natu-
16 ralization or citizenship papers), section 1427 (relating to
17 the sale of naturalization or citizenship papers)”.

18 **SEC. 304. LIMITATION ON SECTION 212(c) AUTHORITY.**

19 Section 212(c) of the Immigration and Nationality
20 Act (8 U.S.C. 1182(c)) is amended in the third sentence
21 by striking the period and inserting “, an alien who has
22 been convicted of an offense described in section 274(a)(1)
23 done for the purpose of commercial advantage or private
24 financial gain, or an alien who has been convicted of an
25 offense described in section 274(a)(2)(B)(ii)”.

1 **SEC. 305. EFFECTIVE DATE.**

2 The amendments made by this title shall apply to of-
3 fenses occurring after the date of enactment of this Act.

4 **TITLE IV—ADMISSIONS AND**
5 **DOCUMENT FRAUD CONTROL**

6 **SEC. 401. MINIMUM CRIMINAL PENALTIES FOR DOCUMENT**
7 **FRAUD.**

8 (a) MINIMUM DOCUMENT FRAUD PENALTIES.—(1)
9 Sections 1028, 1425, 1426, 1427 and 1546(a) of title 18,
10 United States Code are amended by striking “not more
11 than 5 years” and inserting “for a first offense not less
12 than two and one half or more than 5 years, imprisoned
13 for a second offense not less than 5 years or more than
14 10 years, and imprisoned for subsequent offenses not less
15 than 10 or more than 15 years”.

16 (b) ADJUSTED SENTENCING GUIDELINES.—Pursu-
17 ant to section 944 of title 28, United States Code, and
18 section 21 of the Sentencing Act of 1987, the United
19 States Sentencing Commission shall promulgate guide-
20 lines, or amend existing guidelines, to provide that an of-
21 fender convicted of violating, or conspiring to violate, sec-
22 tions 1028, 1425, 1426, 1427 and 1546(a) of title 18,
23 United States Code, shall be assigned a base offense level
24 under chapter 2 of the guidelines that is—

25 (1) in the case of a first offense, not lower than
26 22;

1 (2) in the case of an offender with one prior fel-
2 ony conviction, not lower than 26;

3 (3) in the case of an offender with two prior fel-
4 ony convictions, not lower than 32; and

5 (4) in the case of procurement, production,
6 transfer, or possession of more than 5 documents or
7 related implements within the scope of this section,
8 a required enhancement of between 1 and 5 offense
9 levels in proportion to the quantity of documents at
10 issue.

11 **TITLE V—BORDER CROSSING**
12 **USER FEE**

13 **SEC. 501. IMMIGRATION LAW ENFORCEMENT FUND.**

14 (a) ESTABLISHMENT OF FUND.—There is hereby es-
15 tablished in the Treasury of the United States a revolving
16 fund known as the Immigration Law Enforcement Fund
17 (hereafter in this section referred to as the “Fund”).

18 (b) BORDER CROSSING USER FEE.—Notwithstand-
19 ing any other provision of law or treaty to which the
20 United States is a party, the Attorney General, in con-
21 sultation with the Secretaries of State and the Treasury,
22 and such other parties as the Attorney General deems ap-
23 propriate, shall collect from each individual entering into
24 the United States by land or sea, without regard to the

1 immigration or citizenship status of such individual a bor-
2 der crossing user fee of \$1.

3 (c) FEE ADJUSTMENT AND SPECIAL FEE PROGRAM
4 AUTHORITY.—Notwithstanding subsection (b), the Attor-
5 ney General may—

6 (1) adjust the border crossing user fee periodi-
7 cally to compensate for inflation and other escalation
8 in the cost of carrying out the purposes of this Act;
9 and

10 (2) develop and implement special discounted
11 fee programs for frequent border crossers including,
12 but not limited to, commuter coupon books or
13 passes.

14 (d) AUTHORIZE ROLL-OVER OF FUND SURPLUSES
15 FROM YEAR-TO-YEAR.—There shall be deposited in the
16 Fund amounts received by the Attorney General as fees
17 collected under subsection (b).

18 (e) USES OF USER FEE FUND.—(1) The Fund shall
19 be available to the Attorney General, to the extent and
20 in the amounts provided in appropriation Acts and without
21 fiscal year limitation, to pay for matters authorized under
22 this Act, as follows:

23 (A) For additional salaries and expenses in-
24 curred by reason of the employment of personnel
25 under this Act, including, but not limited to, Border

1 Patrol, inspection, investigation, enforcement, and
2 security personnel, and adjudication officers.

3 (B) For costs relating to land border crossing
4 infrastructure improvement.

5 (C) For costs relating to the acquisition by the
6 Department of Justice of technology and equipment
7 (including, but not limited to, aircraft, helicopters,
8 four wheel drive vehicles, sedans, night vision gog-
9 gles, night vision scopes, and sensor units).

10 (D) For the cost of facilitating and expanding
11 the activities of the Organized Crime and Drug En-
12 forcement Interagency Task Force in order to fully
13 abate the flow of narcotics and other illegal drugs
14 into the United States.

15 (E) For the cost of expediting initial asylum
16 claim review procedures.

17 (F) For the cost of devising and implementing
18 regulatory reform of the affirmative asylum adju-
19 dication process.

20 (G) For the cost of expanding the Institutional
21 Hearing Program.

22 (H) For the cost of expanding the Advanced
23 Passenger Information System.

1 (I) For the cost of increasing rewards for infor-
2 mation leading to the arrest and conviction of terror-
3 ists.

4 (J) For the cost of conducting classes, or other-
5 wise assisting or encouraging, legal immigrants to
6 the United States to attain American citizenship.

7 (K) For the cost of such other activities that,
8 in the discretion of the Attorney General, will re-
9 duce: illegal transit of the Nation's borders, the flow
10 of illegal drugs across such borders, the time nec-
11 essary to process applications for asylum in the
12 United States, and the number of alien criminals in-
13 carcerated in this country.

14 (2) Funds made available under subparagraph (A) in
15 each fiscal year shall be allotted to districts of the Immi-
16 gration and Naturalization Service in proportion to the
17 amount of illegal immigration in each district as the Attor-
18 ney General finds to have occurred in the preceding fiscal
19 year and reasonably anticipated in the coming fiscal year.

○

S 580 IS—2

S 580 IS—3

S 580 IS—4

S 580 IS—5