

112TH CONGRESS
1ST SESSION

H. R. 45

To amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Mr. ISSA introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend section 276 of the Immigration and Nationality Act to impose mandatory sentencing ranges with respect to aliens who reenter the United States after having been removed, and for other purposes.

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 “Criminal Alien Ac-
5 countability Act”.

6 **SEC. 2. MANDATORY SENTENCING RANGES RELATED TO**
7 **REENTRY BY REMOVED ALIEN.**

8 (a) FINDINGS.—The Congress finds as follows:

1 (1) The security of the United States is depend-
2 ent on the Nation’s ability to regulate the immigra-
3 tion of aliens into the United States.

4 (2) Removal from the United States of certain
5 criminal aliens is necessary, and the unauthorized
6 reentry of those aliens constitutes a threat to the
7 people of the United States.

8 (3) The Congress should deter such reentry by
9 specifying mandatory sentencing ranges for these
10 crimes.

11 (b) MANDATORY SENTENCING RANGES FOR REEN-
12 TERING ALIENS.—Section 276 of the Immigration and
13 Nationality Act (8 U.S.C. 1326) is amended—

14 (1) in subsection (a), in the matter following
15 paragraph (2), by striking “imprisoned not more
16 than 2 years,” and insert “imprisoned for a term of
17 not less than 1 year and not more than 2 years,”;
18 and

19 (2) in subsection (b)—

20 (A) in paragraph (1), by striking “impris-
21 oned not more than 10 years,” and insert “im-
22 prisoned for a term of not less than 5 years and
23 not more than 10 years,”;

24 (B) in paragraph (2), by striking “impris-
25 oned not more than 20 years,” and insert “im-

1 prisoned for a term of not less than 10 years
2 and not more than 20 years,”; and

3 (C) in paragraph (4), by striking “impris-
4 oned for not more than 10 years,” and insert
5 “imprisoned for a term of not less than 5 years
6 and not more than 10 years,”.

7 (c) MANDATORY SENTENCING RANGES FOR PERSONS
8 AIDING OR ASSISTING CERTAIN REENTERING ALIENS.—
9 Section 277 of the Immigration and Nationality Act (8
10 U.S.C. 1327) is amended—

11 (1) by striking “Any person” and inserting “(a)
12 Subject to subsection (b), any person”; and

13 (2) by adding at the end the following:

14 “(b)(1) Any person who knowingly aids or assists any
15 alien violating section 276(b) to reenter the United States,
16 or who connives or conspires with any person or persons
17 to allow, procure, or permit any such alien to reenter the
18 United States, shall be fined under title 18, United States
19 Code, or imprisoned for a term imposed under paragraph
20 (2), or both.

21 “(2) The term of imprisonment imposed under para-
22 graph (1) shall be within the range to which the reentering
23 alien is subject under section 276(b).”.

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