

105TH CONGRESS  
1ST SESSION

# H. R. 3075

To amend section 274 of the Immigration and Nationality Act to impose mandatory minimum sentences, and increase certain sentences, for bringing in and harboring certain aliens and to amend title 18, United States Code, to provide enhanced penalties for persons committing such offenses while armed.

---

## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 13, 1997

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

---

## A BILL

To amend section 274 of the Immigration and Nationality Act to impose mandatory minimum sentences, and increase certain sentences, for bringing in and harboring certain aliens and to amend title 18, United States Code, to provide enhanced penalties for persons committing such offenses while armed.

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

1 **SECTION 1. MANDATORY MINIMUM SENTENCES FOR**  
2 **BRINGING IN AND HARBORING CERTAIN**  
3 **ALIENS.**

4 Section 274(a)(1)(B) of the Immigration and Nation-  
5 ality Act (8 U.S.C. 1324(a)(1)(B)) is amended to read as  
6 follows:

7 “(B)(i) Except as provided in clauses (ii) and (iii),  
8 a person who violates subparagraph (A) shall—

9 “(I) in the case of a violation of subparagraph  
10 (A)(i) or (v)(I) or in the case of a violation of sub-  
11 paragraph (A)(ii), (iii), or (iv) in which the offense  
12 was done for the purpose of commercial advantage  
13 or private financial gain, be fined under title 18,  
14 United States Code, imprisoned not less than 2  
15 years nor more than 10 years, or both;

16 “(II) in the case of a violation of subparagraph  
17 (A)(ii), (iii), (iv), or (v)(II) be fined under title 18,  
18 United States Code, imprisoned not less than 1 year  
19 nor more than 5 years, or both;

20 “(III) in the case of a violation of subparagraph  
21 (A)(i), (ii), (iii), (iv), or (v) during and in relation  
22 to which the person causes serious bodily injury (as  
23 defined in section 1365 of title 18, United States  
24 Code) to, or places in jeopardy the life of, any per-  
25 son, be fined under title 18, United States Code, im-

1       prisoned not less than 5 years nor more than 25  
2       years, or both; and

3               “(IV) in the case of a violation of subparagraph  
4       (A)(i), (ii), (iii), (iv), or (v) resulting in the death of  
5       any person, be punished by death or imprisoned for  
6       any term of years or for life (but not less than 20  
7       years), fined under title 18, United States Code, or  
8       both.

9               “(ii) In the case of a violation of subparagraph (A)  
10      after 1 prior conviction for any other violation of subpara-  
11      graph (A) has become final, the minimum term of impris-  
12      onment shall be not less than two times the minimum term  
13      specified in clause (i).

14              “(iii) In the case of a violation of subparagraph (A)  
15      after 2 or more prior convictions for any other violations  
16      of subparagraph (A) have become final, the minimum  
17      term of imprisonment shall be not less than five times the  
18      minimum term specified in clause (i).”.

19      **SEC. 2. ENHANCED PENALTIES FOR PERSONS COMMITTING**  
20                      **OFFENSES WHILE ARMED.**

21              Section 924(c)(1) of title 18, United States Code, is  
22      amended by striking “or drug trafficking crime” each  
23      place it appears and inserting “, drug trafficking crime,

1 or violation of section 274(a)(1)(A) of the Immigration  
2 and Nationality Act”.

