

110TH CONGRESS  
1ST SESSION

# H. R. 26

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Mr. ISSA (for himself and Mr. DREIER) introduced the following bill; which was referred to the Committee on the Judiciary

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## 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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