

Calendar No. 607

110TH CONGRESS
2D SESSION**S. 2722**

To prohibit aliens who are repeat drunk drivers from obtaining legal status or immigration benefits.

IN THE SENATE OF THE UNITED STATES

MARCH 5, 2008

Mrs. DOLE introduced the following bill; which was read the first time

MARCH 6, 2008

Read the second time and placed on the calendar

A BILL

To prohibit aliens who are repeat drunk drivers from obtaining legal status or immigration benefits.

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 “Safe Roads Enhance-
5 ment Act of 2008”.

1 **SEC. 2. AGGRAVATED FELONY DRUNK DRIVING OFFENSES.**

2 Section 101(a)(43)(F) of the Immigration and Na-
 3 tionality Act (8 U.S.C. 1101(a)(43)(F)) is amended to
 4 read as follows:

5 “(F)(i) a crime of violence (as defined in
 6 section 16 of title 18, United States Code) for
 7 which the term of imprisonment is at least 1
 8 year, except for a purely political offense; or

9 “(ii) a third conviction for driving while in-
 10 toxicated (including any conviction for driving
 11 while under the influence of, or impaired by, al-
 12 cohol or drugs), without regard to whether the
 13 conviction is classified as a misdemeanor or fel-
 14 ony under State law.”.

15 **SEC. 3. INADMISSIBILITY AND DEPORTABILITY OF DRUNK**
 16 **DRIVERS.**

17 (a) INADMISSIBILITY.—Section 212(a)(2) of the Im-
 18 migration and Nationality Act (8 U.S.C. 1182(a)(2)) is
 19 amended by adding at the end the following:

20 “(J) DRUNK DRIVERS.—

21 “(i) IN GENERAL.—Any alien who has
 22 been convicted of driving while intoxicated
 23 (including any conviction for driving while
 24 under the influence of, or impaired by, al-
 25 cohol or drugs), without regard to whether
 26 the conviction is classified as a mis-

demeanor or felony under State law, for which the term of imprisonment is at least 1 year, is inadmissible.

“(ii) EXCEPTIONS.—Clause (i) shall not apply to any nonimmigrant described in subparagraph (F), (J), or (M) of section 101(a)(15).”.

(b) DEPORTABILITY.—Section 237(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1227(a)(2)) is amended by adding at the end the following:

“(F) DRUNK DRIVERS.—

“(i) IN GENERAL.—Any alien who has been convicted of driving while intoxicated (including any conviction for driving while under the influence of, or impaired by, alcohol or drugs), without regard to whether the conviction is classified as a misdemeanor or felony under State law, for which the term of imprisonment is at least 1 year, is deportable.

“(ii) EXCEPTIONS.—Clause (i) shall not apply to any nonimmigrant described in subparagraph (F), (J), or (M) of section 101(a)(15).”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 subsections (a) and (b)—

3 (1) shall take effect on the date of the enact-
4 ment of this Act; and

5 (2) shall apply to—

6 (A) any act or conviction that occurred be-
7 fore, on, or after such date; and

8 (B) any application or petition for a ben-
9 efit, relief, waiver, or other matter under the
10 immigration laws of the United States, which is
11 pending or was filed on or after such date.

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