**S. 332**

To appropriate sufficient funds for the construction of a border wall between the United States and Mexico

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IN THE WASAMUN MODEL UNITED STATES SENATE

January 17, 2020

Mr. Rounds, Mr. Kennedy and Mr. Cruz introduced the following bill

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**A BILL**

To appropriate sufficient funds for the construction of a border wall between the United States and Mexico.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “The Border Security Wall Act of 2020”.

SECTION 2. FINDINGS.

Congress finds that:

1. As a Nation, we have the right and responsibility to make our borders safe, to establish clear and just rules for seeking citizenship, to control the flow of legal immigration, and to eliminate illegal immigration, which in some cases has become a threat to our national security.
2. According to the Department of Homeland Security, in the past 5 years, U.S. Customs and Border Protection has seen a 620 percent increase in families - or those posing as families - apprehended at the border, with fiscal year 2018 being the highest on record for family apprehensions at the border.
3. The journey to the southern border for vulnerable people traveling from Central America, including women and children, is fraught with incredible danger, including increased risk of exploitation, violence and sexual abuse from criminal gangs.
4. Fentanyl was responsible for more than 28,400 overdose deaths in the United States in 2017, according to the National Institute of Drug Abuse. According to the Department of Homeland Security, U.S. Customs and Border Protection has reported that fentanyl smuggling between ports of entry at the southern border of the United States more than doubled from fiscal year 2017 to fiscal year 2018.
5. The bipartisan Secure Fence Act of 2006 (Public Law 109-367; 120 Stat. 2638) was signed into law on October 26, 2006, and mandated that the Department of Homeland Security achieve and maintain operational control of the international land border, using physical infrastructure as well as other means, to ensure ``the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband''.
6. Over the past 25 years, the United States Government has constructed 654 miles of physical barriers on the southern border. The Department of Homeland Security is only seeking to expand the physical barrier on the southern border in operationally necessary locations, not to build a physical barrier for all 1,954 miles of the southern border. U.S. Customs and Border Protection has identified 17 high priority locations on the southern border where there is a current operational need for physical barriers.
7. There is a pressing need to provide more Federal funding for the extension of the physical barrier on the southern border.

SECTION 3. MANDATORY SPENDING FOR BORDER WALL.

1. There is appropriated sufficient funds for the purpose of constructing a physical barrier along the southern border of the United States.
2. Such funds shall be offset by increased minimum fines for illegal entry and overstay by aliens, and by ejecting undocumented aliens from housing provided by Federal Housing Programs.

SECTION 4. MINIMUM FINES FOR ILLEGAL ENTRY AND OVERSTAY.

1. Chapter 8 of title II of the Immigration and Nationality Act (8 U.S.C. 1321 et seq.) is amended:
2. Section 275 (8 U.S.C. 1325) sub-section (a) is amended from:

Any alien who (1) enters or attempts to enter the United States at any time or place other than as designated by immigration officers, or (2) eludes examination or inspection by immigration officers, or (3) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offense, be fined under title 18 or imprisoned not more than 6 months, or both, and, for a subsequent commission of any such offense, be fined under title 18, or imprisoned not more than 2 years, or both.

To:

Any alien who (1) enters or attempts to enter the United States at any time or place other than as designated by immigration officers, or (2) eludes examination or inspection by immigration officers, or (3) attempts to enter or obtains entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact, shall (1) for the first commission of any offense shall be fined in accordance with subsection (b), imprisoned not more than 6 months, or both; and (2) for a subsequent commission of any such offense, be fined in accordance with subsection (b), imprisoned not more than 2 years, or both.

1. Section 275 (8 U.S.C. 1325) sub-section (b) is amended from:

Any alien who is apprehended while entering (or attempting to enter) the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty of (1) at least $50 and not more than $250 for each such entry (or attempted entry); or (2) twice the amount specified in paragraph (1) in the case of an alien who has been previously subject to a civil penalty under this subsection. Civil penalties under this subsection are in addition to, and not in lieu of, any criminal or other civil penalties that may be imposed.

To:

Any alien who is apprehended while entering (or attempting to enter) the United States at a time or place other than as designated by immigration officers shall be subject to a civil penalty of (1) an amount equal to not less than £3,000 and not more than $10,000; or (2) twice the amount specified in paragraph (1) in the case of an alien who has been previously subject to a civil penalty under this subsection. Civil penalties under this subsection are in addition to, and not in lieu of, any criminal or other civil penalties that may be imposed.

1. Section 222(g) of the Immigration and Nationality Act (8 U.S.C. 1202(g)) is amended by adding at the end:

In the case of an alien who has been admitted on the basis of a nonimmigrant visa and remained in the United States beyond the period of stay authorized by the Attorney General shall be subject to a civil penalty in an amount equal to $50 multiplied by the number of months that the alien remained in the United States beyond the alien’s authorized period of stay.

SECTION 5. REDUCING FOREIGN ASSISTANCE AND AID.

The Secretary of State shall proportionately reduce the amount of Federal financial assistance and aid provided to a foreign state by a total of $2,000 for each alien who is a citizen or national of that country who:

1. Enters or attempts to enter the United States at any time or place other than as designated by immigration officers, or
2. Eludes examination or inspection by immigration officers, or
3. Attempts to enter or obtains entry to the United States by a wilful, false or misleading representation or the wilful concealment of a material fact.

SECTION 6. FEES FOR CERTAIN INTERNATIONAL REMITTANCE MONEY TRANSFERS.

Section 920 of the Electronic Fund Transfer Act (relating to remittance transfers) (15 U.S.C. 1693o–1) is amended by inserting the following clause:

If the designated recipient of a remittance money transfer is located outside of the United States, a remittance transfer provider shall collect a remittance fee equal to 5 percent of the United States dollar amount to be transferred.

SECTION 7. EFFECTIVE DATE.

This Act shall take effect 90 days after the date of the enactment.