

AMENDMENT NO. _____ Calendar No. _____

Purpose: To amend the definition of aggravated felony to include 3 drunk driving convictions.

IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.

S. 744

To provide for comprehensive immigration reform and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. GRASSLEY

Viz:

1 On page 622, after line 24, insert the following:

2 (c) IN GENERAL.—

3 (1) AGGRAVATED FELONY.—Section

4 101(a)(43)(F) (8 U.S.C. 1101(a)(43)(F)) is amend-

5 ed by striking “for which the term of imprisonment”

6 and inserting “, including a third drunk driving con-

7 viction, regardless of the States in which the convic-

8 tions occurred or whether the offenses are classified

9 as misdemeanors or felonies under Federal or State

10 law, for which the term of imprisonment is”.

11 (2) EFFECTIVE DATE AND APPLICATION.—

1 (A) EFFECTIVE DATE.—The amendment
2 made by paragraph (1) shall take effect on the
3 date of the enactment of this Act.

4 (B) APPLICATION.—

5 (i) IN GENERAL.—Except as provided
6 in subparagraph (ii), the amendment made
7 by paragraph (1) shall apply to a convic-
8 tion for drunk driving that occurred be-
9 fore, on, or after such date of enactment.

10 (ii) TWO OR MORE PRIOR CONVIC-
11 TIONS.—An alien who received 2 or more
12 convictions for drunk driving before the
13 date of the enactment of this Act may not
14 be subject to removal for the commission
15 of an aggravated felony pursuant to sec-
16 tion 237(a)(2)(A)(iii) of the Immigration
17 and Nationality Act (8 U.S.C.
18 1227(a)(2)(A)(iii)) on the basis of such
19 convictions until the date on which the
20 alien is convicted of a drunk driving of-
21 fense after such date of enactment.