

allowed for voluntary departure under this section.”.

(b) **RULEMAKING.**—The Secretary shall promulgate regulations to provide for the imposition and collection of penalties for failure to depart under section 240B(d) of the Immigration and Nationality Act (8 U.S.C. 1229c(d)).

(c) **EFFECTIVE DATES.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to all orders granting voluntary departure under section 240B of the Immigration and Nationality Act (8 U.S.C. 1229c) made on or after the date that is 180 days after the enactment of this Act.

(2) **EXCEPTION.**—The amendment made by subsection (a)(6) shall take effect on the date of the enactment of this Act and shall apply with respect to any petition for review which is filed on or after such date.

SEC. 212. DETERRING ALIENS ORDERED REMOVED FROM REMAINING IN THE UNITED STATES UNLAWFULLY.

(a) **INADMISSIBLE ALIENS.**—Section 212(a)(9)(A) (8 U.S.C. 1182(a)(9)(A)) is amended—

(1) in clause (i), by striking “seeks admission within 5 years of the date of such removal (or within 20 years)” and inserting “seeks admission not later than 5 years after the date of the alien’s removal (or not later than 20 years after the alien’s removal”); and

(2) in clause (ii), by striking “seeks admission within 10 years of the date of such alien’s departure or removal (or within 20 years of)” and inserting “seeks admission not later than 10 years after the date of the alien’s departure or removal (or not later than 20 years after”.

(b) **BAR ON DISCRETIONARY RELIEF.**—Section 274D (8 U.S.C. 1324d) is amended—

(1) in subsection (a), by striking “Commissioner” and inserting “Secretary of Homeland Security”; and

(2) by adding at the end the following:

“(c) **INELIGIBILITY FOR RELIEF.**—

“(1) **IN GENERAL.**—Unless a timely motion to reconsider under section 240(c)(6) or a timely motion to reopen under section 240(c)(7) is granted, an alien described in subsection (a) shall be ineligible for any discretionary relief from removal (including cancellation of removal and adjustment of status) during the time the alien remains in the United States and for a period of 10 years after the alien’s departure from the United States.

“(2) **SAVINGS PROVISION.**—Nothing in paragraph (1) shall preclude a motion to reopen to seek withholding of removal under section 241(b)(3) or protection against torture, if the motion—

“(A) presents material evidence of changed country conditions arising after the date of the final order of removal in the country to which the alien would be removed; and

“(B) makes a sufficient showing to the satisfaction of the Attorney General that the alien is otherwise eligible for such protection.”.

(c) **EFFECTIVE DATES.**—The amendments made by this section shall take effect on the date of the enactment of this Act with respect to aliens who are subject to a final order of removal entered on or after such date.

SEC. 213. PROHIBITION OF THE SALE OF FIREARMS TO, OR THE POSSESSION OF FIREARMS BY CERTAIN ALIENS.

Section 922 of title 18, United States Code, is amended—

(1) in subsection (d)(5)—in subparagraph (B), by striking “(y)(2)” and all that follows and inserting “(y), is in the United States not as an alien lawfully admitted for permanent residence”;

(2) in subsection (g)(5)—in subparagraph (B), by striking “(y)(2)” and all that follows and inserting “(y), is in the United States not as an alien lawfully admitted for permanent residence”;

(3) in subsection (y)—

(A) in the header, by striking “Admitted Under Nonimmigrant Visas” and inserting “Not Lawfully Admitted for Permanent Residence”;

(B) in paragraph (1), by amending subparagraph (B) to read as follows:

“(B) the term ‘lawfully admitted for permanent residence’ has the same meaning as in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)).”;

(C) in paragraph (2), by striking “under a nonimmigrant visa” and inserting “but not lawfully admitted for permanent residence”;

(D) in paragraph (3)(A), by striking “admitted to the United States under a nonimmigrant visa” and inserting “lawfully admitted to the United States but not as an alien lawfully admitted for permanent residence”.

SEC. 214. UNIFORM STATE OF LIMITATIONS FOR CERTAIN IMMIGRATION, PASSPORT, AND NATURALIZATION OFFENSES.

(a) **IN GENERAL.**—Section 3291 of title 18, United States Code, is amended to read as follows:

“**SEC. 3291. IMMIGRATION, PASSPORT, AND NATURALIZATION OFFENSES.**

“No person shall be prosecuted, tried, or punished for a violation of any section of chapters 69 (relating to nationality and citizenship offenses), 75 (relating to passport, visa, and immigration offenses), or for a violation of any criminal provision under section 243, 266, 274, 275, 276, 277, or 278 of the Immigration and Nationality Act (8 U.S.C. 1253, 1306, 1324, 1325, 1326, 1327, and 1328), or for an attempt or conspiracy to violate any such section, unless the indictment is returned or the information filed not later than 10 years after the commission of the offense.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 213 of title 18, United States Code, is amended by striking the item relating to section 3291 and inserting the following:

“3291. Immigration, passport, and naturalization offenses.”.

SEC. 215. DIPLOMATIC SECURITY SERVICE.

(a) Section 2709(a)(1) of title 22, United States Code, is amended to read as follows:

“(1) conduct investigations concerning—

“(A) illegal passport or visa issuance or use;

“(B) identity theft or document fraud affecting or relating to the programs, functions, and authorities of the Department of State;

“(C) violations of chapter 77 of title 18, United States Code; and

“(D) Federal offenses committed within the special maritime and territorial jurisdiction defined in paragraph (9) of section 7 of title 18, United States Code, except as that jurisdiction relates to the premises of United States military missions and related residences.”.

(b) **CONSTRUCTION.**—Nothing in this section shall be construed to limit the investigative authority of any other Federal department or agency.

SEC. 216. STREAMLINED PROCESSING OF BACKGROUND CHECKS CONDUCTED FOR IMMIGRATION BENEFITS.

(a) **INFORMATION SHARING; INTERAGENCY TASK FORCE.**—Section 105 (8 U.S.C. 1105) is amended by adding at the end the following:

“(e) **INTERAGENCY TASK FORCE.**—

“(1) **IN GENERAL.**—The Secretary of Homeland Security and the Attorney General

shall establish an interagency task force to resolve cases in which an application or petition for an immigration benefit conferred under this Act has been delayed due to an outstanding background check investigation for more than 2 years after the date on which such application or petition was initially filed.

“(2) **MEMBERSHIP.**—The interagency task force established under paragraph (1) shall include representatives from Federal agencies with immigration, law enforcement, or national security responsibilities under this Act.”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Director of the Federal Bureau of Investigation such sums as are necessary for each fiscal year, 2008 through 2012 for enhancements to existing systems for conducting background and security checks necessary to support immigration security and orderly processing of applications.

(c) **REPORT ON BACKGROUND AND SECURITY CHECKS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on the background and security checks conducted by the Federal Bureau of Investigation on behalf of United States Citizenship and Immigration Services.

(2) **CONTENT.**—The report required under paragraph (1) shall include—

(A) a description of the background and security check program;

(B) a statistical breakdown of the background and security check delays associated with different types of immigration applications;

(C) a statistical breakdown of the background and security check delays by applicant country of origin; and

(D) the steps that the Director of the Federal Bureau of Investigation is taking to expedite background and security checks that have been pending for more than 180 days.

SEC. 217. STATE CRIMINAL ALIEN ASSISTANCE PROGRAM.

(a) **REIMBURSEMENT FOR COSTS ASSOCIATED WITH PROCESSING CRIMINAL ILLEGAL ALIENS.**—The Secretary may reimburse States and units of local government for costs associated with processing undocumented criminal aliens through the criminal justice system, including—

(1) indigent defense;

(2) criminal prosecution;

(3) autopsies;

(4) translators and interpreters; and

(5) courts costs.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **PROCESSING CRIMINAL ILLEGAL ALIENS.**—There are authorized to be appropriated \$400,000,000 for each of the fiscal years 2008 through 2013 to carry out subsection (a).

(2) **COMPENSATION UPON REQUEST.**—Section 241(i)(5) (8 U.S.C. 1231(i)) is amended to read as follows:

“(5) There are authorized to be appropriated to carry this subsection—

“(A) such sums as may be necessary for fiscal year 2008;

“(B) \$750,000,000 for fiscal year 2009;

“(C) \$850,000,000 for fiscal year 2010; and

“(D) \$950,000,000 for each of the fiscal years 2011 through 2013.”.

(c) **TECHNICAL AMENDMENT.**—Section 501 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1365) is amended by striking “Attorney General” each place it appears and inserting “Secretary of Homeland Security”.