

S. 330

The "Border Security and Immigration Reform Act of 2007"

Sponsored by Sen. Johnny Isakson (R-Ga.)

Summary of Border Control Provisions

- Would, among other things, increase by 3,000 the number of Border Patrol agents authorized by the Intelligence Reform and Terrorism Prevention Act of 2004, and would require that 20 percent of the annual net increase in agents be assigned to the northern border;
- Would authorize 500 additional inspectors each fiscal year from 2008 through 2012;
- Would require construction, within two years, of at least 370 miles of triple-layered fencing (which may include portions already constructed in San Diego, Tucson and Yuma Sectors) and 500 miles of vehicle barriers in other areas along the southwest border that DHS determines are areas most often used by smugglers and illegal aliens attempting to gain illegal entry;
- Would require DHS, within six months of enactment, to submit to Congress a timeline for full implementation of US-VISIT's entry and exit components at every port of entry, as well as for making interoperable all DHS-operated immigration screening systems;
- Would authorize the Governors of Arizona, California, New Mexico, and Texas – through January 1, 2009, with DOD approval – to order their respective states' National Guard units or personnel to perform annual training duty to carry out along the United States' southern land border specified activities (e.g., ground and airborne reconnaissance, logistical support, translation services, emergency assistance, rescuing aliens in peril, construction of infrastructure [e.g., roads, fences, other barriers]) for the purpose of securing that border, and would prohibit this duty from exceeding 21 days per year and from including the direct participation in a search, seizure, arrest, or similar activity;
- Would require DHS to coordinate the performance of National Guard activities relative to these provisions, and, furthermore, would require the agency to reimburse DOD for any support beyond that authorized by these provisions provided by the National Guard or the U.S. Armed Forces to DHS components for the purpose of securing the southern border;
- Would authorize DHS to award grants to a state, local, or tribal law enforcement agency located in a county within 100 miles of a U.S. border with Canada or Mexico, or in a county

beyond 100 miles that has been certified by DHS as a “high impact area,” to provide assistance in addressing criminal activity that occurs by virtue of proximity to the border and the Federal government’s failure to adequately secure its borders, but would prohibit these provisions from being construed to authorize state or local law enforcement agencies or their officers to exercise Federal immigration law enforcement authority;

- Would require DHS to conduct a five-year program to facilitate recruitment and retention of ICE and CBP agents;
- Would require the Secretary of State to work with Mexican officials to educate Mexican nationals regarding eligibility for nonimmigrant status in the United States to: (1) ensure they are not exploited while working here; and (2) “encourage circular migration, including assisting in the development of economic opportunities and providing job training for Mexican nationals”;
- Would also require consultation with Mexico before construction of a border fence in order to “solicit the views of affected communities; lessen tensions; and foster greater understanding”;
- Would postpone the deadline for implementation of the requirement that U.S. citizens carry passports or other secure documents denoting identity and citizenship status when re-entering the United States from Mexico, Canada, and the Caribbean (i.e., a 9/11 Commission recommendation) from January 1, 2008, to “the later of June 1, 2009, or three months after” the Secretary of State and the Secretary of Homeland Security certify that Passport Cards or some alternative document has been issued and publicized widely;
- Would stipulate that, after implementation of the passport requirement, a U.S. citizen who doesn’t have an appropriate travel document can cross the border and return anyway, as long as he/she is not gone more than 72 hours, but would provide for a “grace period” for citizens who don’t know about the requirement or simply do not have the proper documents; and
- Would condition commencement of the W guestworker program (as created by the bill [[click here to learn more](#)]) upon DHS’ certification to the President and Congress that these border security measures have been fully implemented and are fully operational.