

105TH CONGRESS  
1ST SESSION

# S. 1360

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify and improve the requirements for the development of an automated entry-exit control system, to enhance land border control and enforcement, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 4, 1997

Mr. ABRAHAM (for himself, Mr. KENNEDY, Mr. D'AMATO, Mr. LEAHY, Mr. GRAMS, Mr. DORGAN, Ms. COLLINS, Mrs. MURRAY, Mr. BURNS, and Ms. SNOWE) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify and improve the requirements for the development of an automated entry-exit control system, to enhance land border control and enforcement, and for other purposes.

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 “Border Improvement  
5 and Immigration Act of 1997”.

1 **SEC. 2. AMENDMENT OF THE ILLEGAL IMMIGRATION RE-**  
2 **FORM AND IMMIGRANT RESPONSIBILITY ACT**  
3 **OF 1996.**

4 (a) IN GENERAL.—Section 110(a) of the Illegal Im-  
5 migration Reform and Immigrant Responsibility Act of  
6 1996 (8 U.S.C. 1221 note) is amended to read as follows:

7 “(a) SYSTEM.—

8 “(1) IN GENERAL.—Subject to paragraph (2),  
9 not later than 2 years after the date of the enact-  
10 ment of this Act, the Attorney General shall develop  
11 an automated entry and exit control system that  
12 will—

13 “(A) collect a record of departure for every  
14 alien departing the United States and match  
15 the record of departure with the record of the  
16 alien’s arrival in the United States; and

17 “(B) enable the Attorney General to iden-  
18 tify, through on-line searching procedures, law-  
19 fully admitted nonimmigrants who remain in  
20 the United States beyond the period authorized  
21 by the Attorney General.

22 “(2) EXCEPTION.—The system under para-  
23 graph (1) shall not collect a record of arrival or de-  
24 parture—

25 “(A) at a land border of the United States  
26 for any alien;

1           “(B) for any alien lawfully admitted to the  
2           United States for permanent residence; or

3           “(C) for any alien for whom the documen-  
4           tary requirements in section 212(a)(7)(B) of  
5           the Immigration and Nationality Act have been  
6           waived by the Attorney General and the Sec-  
7           retary of State under section 212(d)(4)(B) of  
8           the Immigration and Nationality Act.”.

9           (b) **EFFECTIVE DATE.**—The amendment made by  
10          subsection (a) shall take effect as if included in the enact-  
11          ment of the Illegal Immigration Reform and Immigrant  
12          Responsibility Act of 1996 (division C of Public Law 104–  
13          208; 110 Stat. 3009–546).

14          **SEC. 3. REPORT.**

15          (a) **REQUIREMENT.**—Not later than two years after  
16          the date of enactment of this Act, the Attorney General  
17          shall submit a report to the Committees on the Judiciary  
18          of the Senate and the House of Representatives on the  
19          feasibility of developing and implementing an automated  
20          entry-exit control system that would collect a record of de-  
21          parture for every alien departing the United States and  
22          match the record of departure with the record of the  
23          alien’s arrival in the United States, including departures  
24          and arrivals at the land borders of the United States.

25          (b) **CONTENTS OF REPORT.**—Such report shall—

1           (1) assess the costs and feasibility of various  
2 means of operating such an automated entry-exit  
3 control system, including exploring—

4           (A) how, if the automated entry-exit con-  
5 trol system were limited to certain aliens arriv-  
6 ing at airports, departure records of those  
7 aliens could be collected when they depart  
8 through a land border or seaport; and

9           (B) the feasibility of the Attorney General,  
10 in consultation with the Secretary of State, ne-  
11 gotiating reciprocal agreements with the gov-  
12 ernments of contiguous countries to collect such  
13 information on behalf of the United States and  
14 share it in an acceptable automated format;

15          (2) consider the various means of developing  
16 such a system, including the use of pilot projects if  
17 appropriate, and assess which means would be most  
18 appropriate in which geographical regions;

19          (3) evaluate how such a system could be imple-  
20 mented without increasing border traffic congestion  
21 and border crossing delays and, if any such system  
22 would increase border crossing delays, evaluate to  
23 what extent such congestion or delays would in-  
24 crease; and

1           (4) estimate the length of time that would be  
2           required for any such system to be developed and  
3           implemented.

4 **SEC. 4. INCREASED RESOURCES FOR BORDER CONTROL**  
5 **AND ENFORCEMENT.**

6           (a) INCREASED NUMBER OF INS INSPECTORS AT  
7 THE LAND BORDERS.—The Attorney General in each of  
8 fiscal years 1998, 1999, and 2000 shall increase by not  
9 less than 300 the number of full-time inspectors assigned  
10 to active duty at the land borders of the United States  
11 by the Immigration and Naturalization Service, above the  
12 number of such positions for which funds were made avail-  
13 able for the preceding fiscal year. Not less than one-half  
14 of the inspectors added under the preceding sentence in  
15 each fiscal year shall be assigned to the northern border  
16 of the United States.

17           (b) INCREASED NUMBER OF CUSTOMS INSPECTORS  
18 AT THE LAND BORDERS.—The Secretary of the Treasury  
19 in each of fiscal years 1998, 1999, and 2000 shall increase  
20 by not less than 150 the number of full-time inspectors  
21 assigned to active duty at the land borders of the United  
22 States by the Customs Service, above the number of such  
23 positions for which funds were made available for the pre-  
24 ceding fiscal year. Not less than one-half of the inspectors  
25 added under the preceding sentence in each fiscal year

1 shall be assigned to the northern border of the United  
2 States.

