

110TH CONGRESS
2D SESSION

H. R. 5568

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify requirements relating to the construction of a physical fence along the southwest border, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2008

Mr. GRAVES introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to clarify requirements relating to the construction of a physical fence along the southwest border, 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 “Start Building a Real
5 Fence Act of 2008”.

1 **SEC. 2. PHYSICAL FENCING ALONG THE SOUTHWEST BOR-**
2 **DER.**

3 (a) REMOVAL OF LIMITATION QUALIFICATION.—Sec-
4 tion 102 of the Illegal Immigration Reform and Immigrant
5 Responsibility Act of 1996 (8 U.S.C. 1103 note),
6 as amended by section 564 of division E of the Consoli-
7 dated Appropriations Act, 2008 (Public Law 110–161),
8 is amended by striking subparagraph (D) of subsection
9 (b)(1) of such section 102.

10 (b) CLARIFICATION THAT FENCING SHALL BE
11 PHYSICAL.—Section 102 of the Illegal Immigration Re-
12 form and Immigrant Responsibility Act of 1996 is further
13 amended—

14 (1) in subsection (a), by inserting “, including
15 physical fencing,” after “physical barriers”;

16 (2) in subsection (b)—

17 (A) in the subsection heading, by inserting
18 “PHYSICAL” before “FENCING”;

19 (B) in paragraph (1)—

20 (i) in the paragraph heading, by in-
21 serting “PHYSICAL” before “FENCING”;

22 (ii) in subparagraph (A)—

23 (I) in the subparagraph heading,
24 by inserting “PHYSICAL” before
25 “FENCING”;

1 (II) by inserting “physical” be-
 2 fore “fencing along”; and

3 (III) by inserting “such” before
 4 “fencing would”;

5 (iii) in subparagraph (B)—

6 (I) in clause (i), by inserting
 7 “physical” before “fencing”; and

8 (II) in clause (ii), by inserting
 9 “physical” before “fencing”; and

10 (iv) in subparagraph (C)(i), by insert-
 11 ing “physical” before “fencing”;

12 (C) in paragraph (2), by inserting “phys-
 13 ical” before “fences”;

14 (D) in paragraph (3)—

15 (i) by inserting “physical” before
 16 “fencing”; and

17 (ii) by inserting “physical” before
 18 “fence”; and

19 (3) in subsection (c)(1), by striking “barriers
 20 and roads” and inserting “physical fencing, barriers,
 21 and roads”.

22 (c) REPEAL.—Subsection (b) of section 564 of divi-
 23 sion E of the Consolidated Appropriations Act, 2008
 24 (Public Law 110–161) is repealed.

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