

111TH CONGRESS
2^D SESSION

H. R. 5173

To provide for certain enhanced border security measures, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 28, 2010

Mr. TIAHRT (for himself, Mr. BILBRAY, Mr. ROHRABACHER, Mr. AKIN, and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To provide for certain enhanced border security measures,
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 “Secure the Border Act
5 of 2010”.

6 **SEC. 2. TWO-LAYERED REINFORCED FENCING ALONG THE**
7 **ENTIRE UNITED STATES-MEXICO BORDER.**

8 (a) IN GENERAL.—Section 102 of the Illegal Immi-
9 gration Reform and Immigrant Responsibility Act of 1996
10 (Public Law 104–208; 8 U.S.C. 1103 note), as amended

1 by section 564 of division E of the Consolidated Appro-
2 priations Act, 2008 (Public Law 110–161), is amended
3 by amending subparagraph (A) of subsection (b)(1) to
4 read as follows:

5 “(A) TWO-LAYERED REINFORCED FENC-
6 ING.—

7 “(i) IN GENERAL.—In carrying out
8 subsection (a) and in accordance with
9 clause (ii) of this subparagraph, the Sec-
10 retary of Homeland Security shall—

11 “(I) construct two layers of rein-
12 forced fencing along the entire inter-
13 national land border between the
14 United States and Mexico; and

15 “(II) provide for the installation
16 of additional physical barriers, roads,
17 lighting, cameras, and sensors along
18 the entire length of the international
19 border between the United States and
20 Mexico and the United States and
21 Canada to gain operational control of
22 such border.

23 “(ii) CLARIFICATION.—In carrying
24 out subsection (a), the Secretary of Home-
25 land Security shall construct a second

1 layer of reinforced fencing in any area
2 along the international land border be-
3 tween the United States and Mexico that,
4 as of the date of the enactment of this sub-
5 paragraph, has only one layer of fencing.

6 “(iii) CONSTRUCTION DEADLINE.—
7 The Secretary shall ensure the completion
8 of the construction of such two-layered re-
9 inforced fencing and the installation of
10 such additional physical barriers, roads,
11 lighting, cameras, and sensors by not later
12 than the date that is two years after the
13 date of the enactment of this subpara-
14 graph.”.

15 (b) REPEAL OF CONSULTATION REQUIREMENT.—
16 Subparagraph (C) of section 102(b)(1) of the Illegal Im-
17 migration Reform and Immigrant Responsibility Act of
18 1996, as added by section 564 of division E of the Consoli-
19 dated Appropriations Act, 2008, is repealed.

20 (c) LIMITATION ON REQUIREMENTS.—Subparagraph
21 (D) of section of section 102(b)(1) of the Illegal Immigra-
22 tion Reform and Immigrant Responsibility Act of 1996,
23 as added by section 564 of division E of the Consolidated
24 Appropriations Act, 2008, is amended to read as follows:

25 “(C) LIMITATION ON REQUIREMENTS.—

1 “(i) DETERMINATION AND REPORT.—
2 If the Secretary of Homeland Security de-
3 termines that the installation of the two-
4 layered reinforced fencing required under
5 subparagraph (A)(i)(I) in a particular loca-
6 tion along the international border of the
7 United States and Mexico is topo-
8 graphically impractical, the Secretary shall
9 submit to Congress a report on the specific
10 alternative measures the Secretary deter-
11 mines necessary to achieve and maintain
12 operational control over the international
13 border at such location.

14 “(ii) FOLLOW-UP ACTION.—The in-
15 stallation of the two-layered reinforced
16 fencing required under subparagraph
17 (A)(i)(I) shall not apply with respect to
18 any location specified in the report re-
19 quired under clause (i) of this subpara-
20 graph if a subsequent Act of Congress ex-
21 empts any such location from such fencing
22 requirement and authorizes the specific al-
23 ternative measures referred to in such re-
24 port.”.

1 (d) CLERICAL AMENDMENT.—Section 102(b)(1) of
2 the Illegal Immigration and Immigrant Responsibility Act
3 of 1996 is amended, in the paragraph heading, by striking
4 “ALONG SOUTHWEST BORDER”.

5 (e) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated such sums as may be
7 necessary to carry out the amendment made by subsection
8 (a).

9 **SEC. 3. TUNNEL TASK FORCE.**

10 Subject to the availability of appropriations for such
11 purpose, the fiscal year 2011 budget of the Tunnel Task
12 Force, a joint force comprised of Immigration and Cus-
13 toms Enforcement (ICE), Customs and Border Patrol
14 (CBP), and Drug Enforcement Administration (DEA)
15 personnel tasked to pinpoint tunnels that are utilized by
16 drug lords and “coyotes” to smuggle narcotics, illegal
17 aliens, and weapons, shall be increased by 100 percent
18 above the fiscal year 2007 budget. Such increase shall be
19 used to increase personnel, improve communication and
20 coordination between participant agencies, upgrade tech-
21 nology, and offer cash rewards and appropriate security
22 to individuals who provide the Tunnel Task Force with
23 accurate information on existing tunnels that breach the
24 international borders of the United States.

1 **SEC. 4. AERIAL VEHICLES AND SURVEILLANCE SYSTEMS.**

2 (a) AUTHORIZATION.—The Secretary of Homeland
3 Security shall develop and implement a program to fully
4 integrate and utilize aerial surveillance technologies, in-
5 cluding unmanned aerial vehicles and related equipment,
6 to enhance the security of the international borders be-
7 tween the United States and Mexico and the United States
8 and Canada by conducting continuous monitoring and bor-
9 der surveillance of the entirety of such borders, including
10 equipment such as—

- 11 (1) additional sensors;
12 (2) satellite command and control; and
13 (3) other necessary equipment for operational
14 support.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated such sums as may be
17 necessary to carry out subsection (a).

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