

112TH CONGRESS  
1ST SESSION

# H. R. 1921

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

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IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2011

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

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## 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 “Build the Fence Now  
5 Act of 2011”.

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

8 (a) IN GENERAL.—Subparagraph (A) of section  
9 102(b)(1) of the Illegal Immigration Reform and Immi-

1 grant Responsibility Act of 1996 (Public Law 104–208;  
2 8 U.S.C. 1103 note) is amended to read as follows:

3           “(A) TWO-LAYERED REINFORCED FENC-  
4           ING.—

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

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

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

21                   “(ii) CLARIFICATION.—In carrying  
22           out subsection (a), the Secretary of Home-  
23           land Security shall construct a second  
24           layer of reinforced fencing in any area  
25           along the international land border be-

1           tween the United States and Mexico that,  
2           as of the date of the enactment of this sub-  
3           paragraph, has only one layer of fencing.

4           “(iii) CONSTRUCTION DEADLINE.—

5           The Secretary shall ensure the completion  
6           of the construction of such two-layered re-  
7           inforced fencing and the installation of  
8           such additional physical barriers, roads,  
9           lighting, cameras, radars, and sensors by  
10          not later than the date that is—

11           “(I) two years after the date of

12          the enactment of this subparagraph  
13          with respect to the international land  
14          border between the United States and  
15          Mexico; and

16           “(II) five years after the date of

17          the enactment of this subparagraph  
18          with respect to the international land  
19          border between the United States and  
20          Canada.”.

21          (b) REPEAL OF CONSULTATION REQUIREMENT.—

22          Subparagraph (C) of section 102(b)(1) of the Illegal Im-  
23          migration Reform and Immigrant Responsibility Act of  
24          1996 is repealed.

1 (c) LIMITATION ON REQUIREMENTS.—Subparagraph  
2 (D) of section 102(b)(1) of the Illegal Immigration Re-  
3 form and Immigrant Responsibility Act of 1996 is amend-  
4 ed to read as follows:

5 “(C) LIMITATION ON REQUIREMENTS.—

6 “(i) DETERMINATION AND REPORT.—

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

19 “(ii) FOLLOW-UP ACTION.—The in-  
20 stallation of the two-layered reinforced  
21 fencing required under subparagraph  
22 (A)(i)(I) shall not apply with respect to  
23 any location specified in the report re-  
24 quired under clause (i) of this subpara-  
25 graph if a subsequent Act of Congress ex-

1           emptys any such location from such fencing  
2           requirement and authorizes the specific al-  
3           ternative measures referred to in such re-  
4           port.”.

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

9           (e) AUTHORIZATION OF APPROPRIATIONS.—There  
10 are authorized to be appropriated such sums as may be  
11 necessary to carry out the amendment made by subsection  
12 (a).

13 **SEC. 3. TUNNEL TASK FORCE.**

14           Subject to the availability of appropriations for such  
15 purpose, the fiscal year 2012 budget of the Tunnel Task  
16 Force, a joint force comprised of Immigration and Cus-  
17 toms Enforcement (ICE), Customs and Border Patrol  
18 (CBP), and Drug Enforcement Administration (DEA)  
19 personnel tasked to pinpoint tunnels that are utilized by  
20 drug lords and “coyotes” to smuggle narcotics, illegal  
21 aliens, and weapons, shall be increased by 100 percent  
22 above the fiscal year 2007 budget. Such increase shall be  
23 used to increase personnel, improve communication and  
24 coordination between participant agencies, upgrade tech-  
25 nology, and offer cash rewards and appropriate security

1 to individuals who provide the Tunnel Task Force with  
2 accurate information on existing tunnels that breach the  
3 international borders of the United States.

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

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

- 14 (1) additional sensors;  
15 (2) satellite command and control; and  
16 (3) other necessary equipment for operational  
17 support.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
19 are authorized to be appropriated such sums as may be  
20 necessary to carry out subsection (a).

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