

Summary of the Border Security Enforcement Act of 2010 (S. 3332)

Section 1: SHORT TITLE

Section 2: DEFINITIONS

Section 3: PERSONNEL ENHANCEMENTS

National Guard

- Allows the Governor of Arizona (with consent from the Secretary of Defense) to deploy 3,000 National Guard units to the Tucson/Yuma sector border, and to leave such troops in place until the Governor certifies that “operational control” has been achieved in those border areas.

Border Patrol

- DHS Secretary shall increase by 3,000 (from baseline at date of enactment) the number of trained Border Patrol agents stationed along the Tucson/Yuma sector border by 2015.
- Extends hardship pay to CBP agents stationed at high-traffic, rural areas.

Section 4: ENHANCING EXISTING BORDER SECURITY OPERATIONS

Operation Steamline

- Authorizes such sums as necessary to fully implement Operation Steamline (along the Tucson/Yuma sector border) through 2020 and to reimburse State, local, and tribal law enforcement for any related detention costs.

Operation Stonegarden

- Authorizes \$100 million each year (between 2010-2020) to FEMA to fund Operation Stonegarden. Ninety percent (90%) of funds must go to states bordering Mexico for grants and reimbursement to law enforcement agencies.

Infrastructure Improvements

- Requires DHS Secretary to construct as many CBP stations along the Tucson border area as needed to gain full operational control, and analyze the feasibility of creating an additional CBP section to interrupt drug trafficking operations.
- Establishes at least 6 additional permanent CBP forward operating bases, upgrades existing forward operating bases, and ensures that bases surveil and interdict individuals entering the US unlawfully.
- Requires DHS Secretary to complete construction of permanent checkpoint in Tubac, AZ and deploy additional temporary roving checkpoints in the Tucson/Yuma sector border.
- Requires the construction of double and triple-layer fencing at appropriate locations along the Tucson/Yuma sector border by December 31, 2011.
- Authorizes such sums as necessary (between 2010-2020) to carry out the above infrastructure improvements.

Section 5: MOBILE SURVEILLANCE

- Authorizes \$50 million for CBP commissioner to: (a) deploy additional mobile surveillance systems and unmanned aerial vehicles (b) operate unmanned aerial vehicles (c) deploy additional fixed-wing aircraft and helicopters (d) increase horse patrols along the Tucson /Yuma Sector border as necessary to provide 24-hour operation and surveillance.

Section 6: ACCESS TO EMERGENCY PERSONNEL

Southwest Border Emergency Communications Grants

- Authorizes \$3 million for DHS Secretary to establish a 2-year grant program, to be administered by the State of Arizona, to improve emergency communications along the Tucson/Yuma sector border.
 - Eligible individuals must: (a) regularly reside or work near the Tucson/Yuma sector border (b) be at greater risk of border violence due to the lack of cellular service at his or her residence or business and his or her proximity to such border.
 - Grants shall be used to purchase satellite telephone communications systems with GPS and 911 capabilities.

Interoperable Communications for Law Enforcement

- Authorizes \$35 million for DOJ to: (a) purchase P-25 compliant radios for Federal law enforcement agents working in Arizona in support of the CBP, ICE, DEA and ATF activities (b) upgrade the DOJ communications network to ensure coverage and capacity, particularly when immediate access is needed in times of crisis, along the Tucson/Yuma sector border for appropriate law enforcement personnel of the DOJ, DEA, ATF, DHS, ICE, CBP, other federal agencies, the State of Arizona, tribes, and local governments.

State and Local Law Enforcement

- Authorizes \$35 million for DOJ to: (a) purchase P-25 compliant radios for State and local law enforcement agents working in Santa Cruz, Pima, Cochise, Yuma, Pinal, Maricopa, or Graham County in the State of Arizona (b) grants them access to the spectrum assigned to DHS or DOJ during emergency situations.

Section 7: FINANCIAL ASSISTANCE FOR STATES AND LOCAL GOVERNMENTS

State Criminal Alien Assistance Program

- Requires the Attorney General to fully reimburse States/local governments for the costs incurred to incarcerate aliens convicted of criminal activity while unlawfully present in the US.
- Extends authorization of the program through 2020.

Southwest Border Prosecution Initiative

- Appropriates \$50 million a year (through 2020) for the Attorney General to reimburse State, county, tribal, and municipal governments for costs associated with the prosecution and pre-trial detention of federally initiated criminal cases declined by local offices of the United States Attorneys.

Section 8: MAGISTRATE JUDGE

- The judges of the United States District Court for the District of Arizona shall appoint 1 full-time magistrate judge, who shall have the authority to hear all cases and controversies in Cochise County, Arizona.