

From: [JohnsonHughes, Christy](#)
To: [lynne crammer](#)
Cc: [Carol Braegelmann](#); [Ben Thatcher](#); [Craig Aubrey](#)
Subject: Re: NEPA Compliance
Date: Wednesday, February 1, 2017 10:09:35 AM

Ms. Crammer,

Thank you for contacting us. Unfortunately, I cannot provide any information on the Department of Homeland Security's NEPA analysis. DHS is responsible for NEPA compliance on the proposed border wall. I recommend contacting DHS directly.

Christy Johnson-Hughes
U.S. Fish and Wildlife Service
Ecological Services
Branch of Environmental Review
703-358-1922

5275 Leesburg Pike
Falls Church, VA 22041-3803

On Mon, Jan 30, 2017 at 12:39 PM, lynne crammer <lynne.c@cox.net> wrote:

It seems to me that the President's proposed border wall between Mexico and the US will have significant fiscal, human, and wildlife impacts on the US. As I read the NEPA, the impacts will be significant enough to require an Environmental Impact Statement. Has the need for an EIS been addressed at any level? If not, why not? If it has been addressed and determined not necessary, on what grounds?

Please address a response to Lynne Crammer at Lynne.c@cox.net

Thank you

From: [Frazer, Gary](#)
To: [Benjamin Tuggle](#); [Ted Koch](#)
Cc: [Gina Shultz](#); [Jeff Newman](#); [Bridget Fahey](#)
Subject: Fwd: Feds, Wildlife Groups Use Bogus Endangered Species Science to Block Border Fence - Judicial Watch
Date: Friday, April 7, 2017 8:05:21 AM

fyi. This was in this morning's clips. Be prepared for questions. -- GDF

Gary Frazer
Assistant Director -- Ecological Services
U.S. Fish and Wildlife Service
(202) 208-4646

----- Forwarded message -----

From: <email@addthis.com>
Date: Fri, Apr 7, 2017 at 7:59 AM
Subject: Feds, Wildlife Groups Use Bogus Endangered Species Science to Block Border Fence - Judicial Watch
To: gary_frazer@fws.gov

<http://jwatch.us/NvGTQd>

This message was sent by Gary_frazer@fws.gov via <http://addthis.com>. Please note that AddThis does not verify email addresses.

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Whorton, Laura <laura_whorton@fws.gov>

Border issue briefing paper

Whorton, Laura <laura_whorton@fws.gov>

Fri, Apr 28, 2017 at 3:41 PM

To: "Spomer, Katherine" <katherine_spomer@fws.gov>, Shaun Sanchez <shaun_sanchez@fws.gov>

Shaun and Ketti,

Attached are both versions of the briefing paper in case Shaun hadn't seen the original and wanted additional info. So you know, I started from scratch and took bits and pieces of the info from the original version. Mine is saved with my initials.

Some things to keep in mind when you're reviewing:

- The template in my version is strict and we can't change it. The paper can be no longer than 1 page
- We're teeing these briefing papers up as background info for the Secretary. We shouldn't provide opinions, spin, or recommendations about whether we support or don't support a border wall at this time
- Is there more we can say on the environmental issues of having a wall?

Once I get the all clear from you guys, I'll send to CLA and Edith for their review. After that, the paper will be routed through DTS.

Can I get your edits back on Monday?

Let me know if you have questions.

Thanks,

Laura

U.S. Fish & Wildlife Service
Division of Budget
703-358-1874

2 attachments

Refuges - SW Border issues.docx
20K

Refuges - SW border issues_lw edits.docx
19K



Whorton, Laura <laura_whorton@fws.gov>

Border Wall briefing paper

Whorton, Laura <laura_whorton@fws.gov>

Mon, May 1, 2017 at 1:52 PM

To: Devin Helfrich <devin_helfrich@fws.gov>, Edith Thompson <edith_thompson@fws.gov>

Cc: Autemesa Scott <autemesa_scott@fws.gov>

Hi Edith and Devin,

Attached is the border wall briefing paper approved by Refuges. There are still some holes in terms of status of interested parties and next steps that I was assuming you guys had info on. Edith, I've saved this in the appropriate folder on R drive per your directions.

Thanks,

Laura

U.S. Fish & Wildlife Service
Division of Budget
703-358-1874

 **Refuges - SW border issues_NWRS final draft.docx**
20K



Whorton, Laura <laura_whorton@fws.gov>

Re: Border issue briefing paper

1 message

Sanchez, Shaun <shaun_sanchez@fws.gov>
To: "Whorton, Laura" <laura_whorton@fws.gov>
Cc: "Spomer, Katherine" <katherine_spomer@fws.gov>

Mon, May 1, 2017 at 12:42 PM

Thank you Laura! I preferred your edited version. We need to keep in mind our administration has said to keep briefing papers to no more than one page and bullets. I made a few edits in track changes. It is good to move forward.

shaun

On Fri, Apr 28, 2017 at 3:41 PM, Whorton, Laura <laura_whorton@fws.gov> wrote:

Shaun and Ketti,

Attached are both versions of the briefing paper in case Shaun hadn't seen the original and wanted additional info. So you know, I started from scratch and took bits and pieces of the info from the original version. Mine is saved with my initials.

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Once I get the all clear from you guys, I'll send to CLA and Edith for their review. After that, the paper will be routed through DTS.

Can I get your edits back on Monday?

Let me know if you have questions.

Thanks,

Laura

U.S. Fish & Wildlife Service
Division of Budget
703-358-1874

--
Shaun M. Sanchez
Deputy Chief
National Wildlife Refuge System
U.S. Fish and Wildlife Service
5275 Leesburg Pike
Falls Church, VA 22041-3803
Office Phone: 703-358-2304
Cell: 702-533-9629
E-Mail: shaun_sanchez@fws.gov

 **Refuges - SW border issues_NWRS final draft.docx**
20K



Hausman, Alyssa <alyssa_hausman@fws.gov>

Re: listed species on border

1 message

Hausman, Alyssa <alyssa_hausman@fws.gov>

Mon, Jun 19, 2017 at 8:55 AM

To: "Morgan, Don" <don_morgan@fws.gov>

Cc: Jeff Newman <jeff_newman@fws.gov>, Kayla Miller <kayla_miller@fws.gov>

Hi Jeff and Don,

Attached is the list of ESA-listed species occurring near the border. Each state is included in a separate tab. Region 2 pulled species occurring within one mile and Region 8 used 10 miles as their threshold. Let me know if you have questions.

- Alyssa

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

On Tue, Jun 13, 2017 at 10:50 AM, Morgan, Don <don_morgan@fws.gov> wrote:

Thank you Alyssa, that will be very helpful.

Don R. Morgan
U.S. Fish and Wildlife Service
Chief, Branch of Recovery and State Grants
5275 Leesburg Pike
Falls Church, VA 22041-3803
Phone (703) 358-2444
Fax (703) 358-1800

On Tue, Jun 13, 2017 at 10:42 AM, Hausman, Alyssa <alyssa_hausman@fws.gov> wrote:

Thank you. Regions 2 and 8 are working on this. I'll share their response to you as an FYI.

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

On Mon, Jun 12, 2017 at 5:45 AM, Morgan, Don <don_morgan@fws.gov> wrote:

Good Morning Alyssa,

I do not believe we have any information compiled on this. I suggest working directly with the Regions.

Don

Don R. Morgan
U.S. Fish and Wildlife Service
Chief, Branch of Recovery and State Grants
5275 Leesburg Pike
Falls Church, VA 22041-3803
Phone (703) 358-2444
Fax (703) 358-1800

On Fri, Jun 9, 2017 at 3:18 PM, Alyssa Hausman <alyssa_hausman@fws.gov> wrote:

Hi Jeff and Don,

I just received the below inquiry on species along the border. Do you all have any information already developed on this, or am I best of working through CLA for regions 2 and 8?

Thank you!
- Alyssa

> Our office is interested in getting some information on the endangered species that live on and near the U.S. / Mexico Border. We are

6/18/2019

DEPARTMENT OF THE INTERIOR Mail - Re: listed species on border

especially interested in any endangered species that have migration patterns that could be obstructed by a border wall.
>
> Thank you for your time. I look forward to hearing back from you.

Sent from my iPhone

 **ESA Species Near Border.xlsx**
14K



Hausman, Alyssa <alyssa_hausman@fws.gov>

Re: Endangered Border Species

1 message

Hausman, Alyssa <alyssa_hausman@fws.gov>

Wed, Jun 21, 2017 at 8:41 AM

To: "Barkin, Pamela" <pamela_barkin@ios.doi.gov>

Cc: "Gustavson, Angela" <angela_gustavson@fws.gov>, Dominic Maione <dominic_maione@ios.doi.gov>

Hi Pam,

Attached is the spreadsheet that I shared with Rep. Carter's staff on Monday. There is a separate tab for each state along the border. Please let me know if you have questions or concerns about any of this.

Best,
Alyssa

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

On Tue, Jun 20, 2017 at 5:57 PM, Barkin, Pamela <pamela_barkin@ios.doi.gov> wrote:

Thanks!

Pamela Barkin
Assistant Legislative Counsel
Office of the Secretary of the Interior
(202) 501-2563

On Tue, Jun 20, 2017 at 5:51 PM, Alyssa Hausman <alyssa_hausman@fws.gov> wrote:

Hi Pam,

I transmitted our response to Carter's office yesterday. It was a spreadsheet of listed species occurring within 1 mile of the AZ, TX, and NM borders and 10 miles of the CA border (different because of the Service's two regional offices involved). I qualified that these were simple lists of occurrence and not any analysis or suggestion of impact to those species by the construction of a wall. I will send you that spreadsheet first thing tomorrow, when I am back at my computer. I'm happy to get on the phone with you if you would like.

I'll be sure to work with you on future inquiries.

Best,
Alyssa

Sent from my iPhone

On Jun 20, 2017, at 5:37 PM, Gustavson, Angela <angela_gustavson@fws.gov> wrote:

Hi Pam,

I'm looping Alyssa Hausman in from our office who was working to follow-up with Rep. Carter's office.

Angela

Angela Gustavson
Deputy Chief
Division of Congressional and Legislative Affairs
U.S. Fish and Wildlife Service
Office: 703-358-2253
Mobile: 202-909-5105
angela_gustavson@fws.gov

On Tue, Jun 20, 2017 at 4:25 PM, Barkin, Pamela <pamela_barkin@ios.doi.gov> wrote:

Hi Angela! I got Marty's out of office message. Do you know about this one? Thanks in advance!

Pamela Barkin
Assistant Legislative Counsel
Office of the Secretary of the Interior
(202) 501-2563

----- Forwarded message -----

From: **Barkin, Pamela** <pamela_barkin@ios.doi.gov>
Date: Tue, Jun 20, 2017 at 4:24 PM
Subject: Re: Endangered Border Species
To: "Maione, Dominic" <dominic_maione@ios.doi.gov>, Martin Kodis <martin_kodis@fws.gov>

Hi Marty,

I have been monitoring border issues in OCL and today on our border coordination call, someone from FWS was talking about Rep. Carter's ESA request (see note below). Who in your office is working on this issue? I am trying to coordinate border information that may be sent to CBP and/or the Hill before it is sent.

Thanks,
Pam

Pamela Barkin
Assistant Legislative Counsel
Office of the Secretary of the Interior
(202) 501-2563

On Tue, Jun 20, 2017 at 3:16 PM, Maione, Dominic <dominic_maione@ios.doi.gov> wrote:

----- Forwarded message -----

From: **Kodis, Martin** <martin_kodis@fws.gov>
Date: Fri, Jun 9, 2017 at 2:53 PM
Subject: Fwd: Endangered Border Species
To: Micah Chambers <micah_chambers@ios.doi.gov>
Cc: Dominic Maione <dominic_maione@ios.doi.gov>

Hi Micah,

FYI, Hannah Mayfield in Congressman Carter's (TX) office reached out to us about species/border wall information. We will work to respond.

Here's their request: "Our office is interested in getting some information on the endangered species that live on and near the U.S. / Mexico Border. We are especially interested in any endangered species that have migration patterns that could be obstructed by a border wall."

Marty

--
Martin Kodis
Chief, Division of Congressional and Legislative Affairs
U.S. Fish and Wildlife Service

5275 Leesburg Pike
Falls Church, VA 22041

703-358-2241 ph
703-358-2245 fax

--
Dominic A. Maione | Attorney - Advisor | Office of Congressional and Legislative Affairs | U.S. Department of the Interior |
202.208.4092

 **ESA Species Near Border.xlsx**
14K



Hausman, Alyssa <alyssa_hausman@fws.gov>

Review Requested: DHS QFRs on Southern Border

1 message

Hausman, Alyssa <alyssa_hausman@fws.gov>

Tue, Jul 11, 2017 at 10:36 AM

To: Lesli Gray <lesli_gray@fws.gov>, Meghan Snow <meghan_snow@fws.gov>

Hi Lesli and Meghan,

The Department is circulating DHS QFRs from a recent hearing on southern border security. Questions 25 and 26 from Sen. Hirono (D-HI) discuss impacts to wildlife. Can you please take a look at those questions in the attached document and let me know if you have any concerns/proposed edits by COB today?

Sorry for the tight deadline, and thank you!

- Alyssa

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

DEPARTMENT OF THE INTERIOR**LEGISLATIVE COUNSEL REFERRAL**

Subject: HRG #60 - DHS Questions for the Record from 5/23/17 Hearing
Re: Building America's Trust Through Border Security: Progress on the Southern Border

Attached for review, please find draft DHS (CBP) QFRs from a May 23rd hearing before the Senate Judiciary Committee's Immigration Subcommittee, titled "Building America's Trust Through Border Security: Progress on the Southern Border."

CBP Vitiello (29) #1144374 OMB Clearance.doc
433K



Hausman, Alyssa <alyssa_hausman@fws.gov>

Review Requested: DHS QFRs on Southern Border

1 message

Hausman, Alyssa <alyssa_hausman@fws.gov>

Tue, Jul 11, 2017 at 10:41 AM

To: Jeff Newman <jeff_newman@fws.gov>, Craig Aubrey <craig_aubrey@fws.gov>

Hi Jeff and Craig,

The Department is circulating DHS QFRs from a recent hearing on southern border security. Questions 25 and 26 from Sen. Hirono (D-HI) discuss impacts to wildlife. Can you please take a look at those questions in the attached document and let me know if you have any concerns/proposed edits by COB today? I am also sending these to Regions 2 and 8.

Sorry for the tight deadline, and thank you!

- Alyssa

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

DEPARTMENT OF THE INTERIOR**LEGISLATIVE COUNSEL REFERRAL****Subject: HRG #60 - DHS Questions for the Record from 5/23/17 Hearing****Re: Building America's Trust Through Border Security: Progress on the Southern Border**

Attached for review, please find draft DHS (CBP) QFRs from a May 23rd hearing before the Senate Judiciary Committee's Immigration Subcommittee, titled "Building America's Trust Through Border Security: Progress on the Southern Border."

 CBP Vitiello (29) #1144374 OMB Clearance.doc
433K



Hausman, Alyssa <alyssa_hausman@fws.gov>

Re: LEGISLATIVE REFERRAL: (DUE 7/13/17 @ 5 PM) HRG #60 - DHS Questions for the Record from 5/23/17 Hearing Re: Building America's Trust Through Border Security: Progress on the Southern Border

1 message

Hausman, Alyssa <alyssa_hausman@fws.gov>
To: Angela Gustavson <angela_gustavson@fws.gov>

Wed, Jul 12, 2017 at 10:04 AM

ES and Region 8 did not want to submit comments and Region 2 (through Joy) sent comments that are really general (attached). I'm inclined to not move them forward, but that's not my call. I sent them to ES to see if they want to move them forward. Do you have thoughts on this?

Thanks,
Alyssa

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

On Tue, Jul 11, 2017 at 10:21 AM, Nevils, Joseph <joseph_nevils@ios.doi.gov> wrote:

DEADLINE: THURSDAY, JULY 13, 2017 @ 5 PM

DEPARTMENT OF THE INTERIOR

LEGISLATIVE COUNSEL REFERRAL

Date: July 11, 2017

To: Legislative Liaison

From: Pam Barkin (501-2563)

Contact: Joe Nevils (208-4580)

Subject: HRG #60 - DHS Questions for the Record from 5/23/17 Hearing

Re: Building America's Trust Through Border Security: Progress on the Southern Border

Attached for review, please find draft DHS (CBP) QFRs from a May 23rd hearing before the Senate Judiciary Committee's Immigration Subcommittee, titled "Building America's Trust Through Border Security: Progress on the Southern Border."

Please submit any edits by the deadline.

Please send agency comments or respond with a "no comment" to Pamela_Barkin@ios.doi.gov and Joseph_Nevils@ios.doi.gov by the deadline above.

Attachment(s): 1

--

Joseph Nevils
Legislative Assistant

Department of the Interior
1849 C St, NW 20240
(202) 208-4580 (O)
(202) 208-7619 (F)

 **CBP Vitiello (29) #1144374 OMB Clearance FWS edit Q25.doc**
62K



Hausman, Alyssa <alyssa_hausman@fws.gov>

mark up notes

1 message

Hausman, Alyssa <alyssa_hausman@fws.gov>
To: Merra Howe <marian_howe@fws.gov>

Wed, Sep 13, 2017 at 2:29 PM

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

 **Notes - 091317 HNR Mark Up - SHARE Act and ESA Bills.docx**
108K



Meet & Greet/Border Briefing (Greg, Gina Shultz for Gary Frazer, Mitch Ellis for Cynthia Martinez, Harry Humbert, Brent Range-DOI Borderland Coordinator) - Rm 5128

Created by: roslyn_sellars@fws.gov

Time

8am - 9am (Pacific Time - Los Angeles)

Date

Wed Dec 20, 2017

Where

Room 5128

My Notes

Guests

- ✓ Brent Range
- ✓ Gina Shultz
- ✓ greg_j_sheehan@fws.gov
- ✓ Harry Humbert
- ✓ Mitch Ellis
- ⊗ Gary Frazer
- Jim Kurth



Nolin, Chris <chris_nolin@fws.gov>

Fwd: OMB Trip to R2

1 message

Bivens, Dana <dana_bivens@fws.gov>
To: Chris Nolin <chris_nolin@fws.gov>
Cc: Autemesa Scott <autemesa_palmer@fws.gov>

Thu, Mar 8, 2018 at 9:16 AM

Hi Chris,

Please see below for trip ideas for Emma in R2 this summer. If these ideas sound good to you I can schedule a call to explore more specific details. I think the border wall discussion/refuge visit, and gulf coast restoration site visits would be particularly of interest.

Thanks

-Dana

----- Forwarded message -----

From: **Hires, Brian** <brian_hires@fws.gov>
Date: Wed, Mar 7, 2018 at 7:29 PM
Subject: Re: OMB Trip to R2
To: "Bivens, Dana" <dana_bivens@fws.gov>

Hi Dana,

Below are a few initial ideas from Region 2 directorate on things for Emma Roach to do on her planned visit this summer. If useful, we can have a follow-up conversation next week to further discuss Emma's goals and interests while here, and I'm sure that would help generate more ideas.

Hope below is helpful, but don't hesitate to reach out to me with questions or for more information. Thanks,

Brian

Here are the responses so far:

- **Mexican wolf recovery:** We hope to have wolves back this summer at Sevilleta, but the lack of a budget is slowing down our ability to fix the water system, so wolves may be at Ladder longer.
- **Oklahoma:** Most impactful in OK would be oil and gas permitting and consultation for ABB, as well as infrastructure projects. Considering downlisting and 4d, not sure this is helpful since OMB is typically looking two years out.
Adam (central TX): One option is to provide Ms. Roach with a tour of freshwater mussels and give an overview on Central Texas water issues and mussels in light of the upcoming SSA and possible CCAA.
- **Gulf Restoration** - we can help arrange a cross-program site visit in any coastal Texas destination. Depending on location there is good proximity to other issues of possible interest including border, energy, species conservation, federal projects, partnerships etc."

is of interest, we can help arrange a cross-program site visit in any coastal Texas destination. Depending on location there is good proximity to other issues of possible interest including border, energy, species conservation, federal projects, partnerships etc."

- **Border wall issues:** At a minimum, some combination of R2 EA, Refuges and leadership will plan to have a sit down with Emma to discuss current, upcoming and historical border wall issues and challenges. Emma could also visit one of our refuges on the border talk about issues/challenges with refuge staff.

--

Dana Bivens
Program Analyst
U.S. Fish and Wildlife Service
Division of Budget
Office: (703) 358-2419
dana_bivens@fws.gov

From: [Jim Kurth](#)
To: [Greg Sheehan](#); [Gary Frazer](#); [Cynthia Martinez](#)
Subject: Fwd: Notice of ESA violations in relation to New Mexico border wall construction
Date: Wednesday, March 21, 2018 11:50:42 AM
Attachments: [ATT00001.htm](#)
[18 03 21 NOI Letter re NM Border Wall from CBD DOW SEC ALDF.pdf](#)

FYI

Sent from my iPad

Begin forwarded message:

From: Jean Su <JSu@biologicaldiversity.org>
Date: March 21, 2018 at 11:31:40 AM EDT
To: "congresstodhs@hq.dhs.gov" <congresstodhs@hq.dhs.gov>, "kevin.k.mcaleenan@dhs.gov" <kevin.k.mcaleenan@dhs.gov>, "Jim_Kurth@fws.gov" <Jim_Kurth@fws.gov>
Cc: Brian Segee <BSegee@biologicaldiversity.org>, Howard Crystal <HCrystal@biologicaldiversity.org>
Subject: **Notice of ESA violations in relation to New Mexico border wall construction**

Dear Secretary Nielsen, Deputy Director Kurth, and Acting Commissioner McAleenan:

On behalf of the Center for Biological Diversity, Southwest Environmental Center, Defenders of Wildlife, and the Animal Legal Defense Fund, we hereby provide notice in the attached letter that the Department of Homeland Security and the U.S. Customs and Border Protection are in violation of Section 7(a)(2) of the Endangered Species Act for their failure to consult with U.S. Fish and Wildlife Service in order to ensure that the proposed border wall fencing replacement construction in New Mexico does not jeopardize the continued existence of impacted threatened or endangered species, or result in the destruction or adverse modification of their critical habitat, and is further in violation of Section 9(a)(1)(B) of the Act for the likely "take" of threatened or endangered species caused by construction and related activities undertaken as part of the New Mexico border wall replacement project.

We have also sent a copy of the attached notice letter via certified mail.

Thank you for your attention to the allegations contained in the attached letter. Please contact me at the telephone number below should you wish to discuss this notice letter in further detail.

Best regards,
Jean Su

Jean Su

Associate Conservation Director // Staff Attorney

CENTER FOR BIOLOGICAL DIVERSITY

1411 K STREET NW, SUITE 1300

WASHINGTON, D.C. 20005

Phone: (202) 849-8399

Twitter: @ajeansu

<http://www.biologicaldiversity.org>



Whorton, Laura <laura_whorton@fws.gov>

Re: Southern border construction

1 message

Whorton, Laura <laura_whorton@fws.gov>
To: "Harms, Hillary" <hillary_harms@fws.gov>
Cc: Katherine Spomer <Ketti_Spomer@fws.gov>

Wed, Apr 18, 2018 at 5:05 PM

Sorry, one more thought. I also think it would be helpful to keep in the part about the resource management reprogramming thresholds that require Congressional approval as back pocket info for Greg in case they go down that path instead of the construction account. My understanding of the purpose of this briefing paper is to prep Greg for his meeting, so a complete picture will ensure he's better prepared.

Laura

Laura Whorton
Acting Transportation Branch Chief
National Wildlife Refuge System
Division of Facilities, Equipment & Transportation
U.S. Fish & Wildlife Service
703-358-1752 (direct)

On Wed, Apr 18, 2018 at 5:03 PM, Whorton, Laura <laura_whorton@fws.gov> wrote:

Hillary,

I've tracked some changes, attached. I think we'll need to explain the link more about why a border barrier wouldn't be a Service asset even if built on Service land. I also think we'd be remiss to exclude that line-item construction projects are selected by Congress and would require a reprogramming to use for a different project.

Based on Chris' comments, you'll probably want to mention in the background that part of a border wall was constructed in the Lower Rio Grande Valley NWR per the 2008 appropriations.

Kelly confirmed my thoughts about the map, by the way. Not sure why he didn't reply all.

Laura

Laura Whorton
Acting Transportation Branch Chief
National Wildlife Refuge System
Division of Facilities, Equipment & Transportation
U.S. Fish & Wildlife Service
703-358-1752 (direct)

On Wed, Apr 18, 2018 at 4:48 PM, Harms, Hillary <hillary_harms@fws.gov> wrote:

Let me know what you think.

Thanks,
Hillary

Hillary Harms
Budget Formulation Analyst
Division of Budget
U.S. Fish and Wildlife Service
703-358-1837

On Wed, Apr 18, 2018 at 2:30 PM, Whorton, Laura <laura_whorton@fws.gov> wrote:

Hi all,

Attached is our briefing paper and map in response to the Deputy Secretary's request regarding our construction account and the southern border. The map shows the Lower Rio Grande Valley NWR in green and the Santa Ana NWR in gray.

Please let us know if you have questions.

Thanks,

Laura

Laura Whorton
Acting Transportation Branch Chief
National Wildlife Refuge System
Division of Facilities, Equipment & Transportation
U.S. Fish & Wildlife Service
703-358-1752 (direct)



Whorton, Laura <laura_whorton@fws.gov>

Southern border construction

1 message

Whorton, Laura <laura_whorton@fws.gov>

Wed, Apr 18, 2018 at 2:30 PM

To: Chris Nolin <chris_nolin@fws.gov>, Rachel Merkel <rachel_merkel@fws.gov>, Hillary Harms <hillary_harms@fws.gov>
Cc: Cynthia Martinez <Cynthia_Martinez@fws.gov>, Shaun Sanchez <shaun_sanchez@fws.gov>, Katherine Spomer <ketti_spomer@fws.gov>, David Robinson <david_c_robinson@fws.gov>, Robert Miller <robert_miller@fws.gov>, Brad Long <brad_long@fws.gov>

Hi all,

Attached is our briefing paper and map in response to the Deputy Secretary's request regarding our construction account and the southern border. The map shows the Lower Rio Grande Valley NWR in green and the Santa Ana NWR in gray.

Please let us know if you have questions.

Thanks,

Laura

Laura Whorton
Acting Transportation Branch Chief
National Wildlife Refuge System
Division of Facilities, Equipment & Transportation
U.S. Fish & Wildlife Service
703-358-1752 (direct)

2 attachments

LRGV-Composite.pdf
536K

FWS HQ - Resource Protection Structures_4.18.2018.docx
19K



Hausman, Alyssa <alyssa_hausman@fws.gov>

Fwd: [For Review] FY19 Draft Hearing Q and As

Hausman, Alyssa <alyssa_hausman@fws.gov>
To: Lisa Jones <lisa_m_jones@fws.gov>

Thu, Mar 15, 2018 at 11:54 AM

FYI

Alyssa Hausman
Congressional and Legislative Affairs Specialist
U.S. Fish and Wildlife Service
Office: (703) 358-2275
Mobile: (703) 785-3402
alyssa_hausman@fws.gov

----- Forwarded message -----

From: **BalisLarsen, Martha** <martha_balislarsen@fws.gov>
Date: Wed, Mar 14, 2018 at 12:57 PM
Subject: Fwd: [For Review] FY19 Draft Hearing Q and As
To: Alyssa Hausman <alyssa_hausman@fws.gov>

Alyssa, here you go. Only Gina has reviewed and only some of the draft responses. Feel free to let Chun and me know if you have any concerns or edits for the responses. Better to address now. Thanks!

Martha

Martha Balis-Larsen
Chief, Division of Budget & Technical Support
Ecological Services Program
U.S. Fish and Wildlife Service Headquarters
Ecological Services, MS: ES
5275 Leesburg Pike
Falls Church, VA 22041-3803
703-358-2171 (general)
703-358-2314 (direct)

----- Forwarded message -----

From: **Shultz, Gina** <gina_shultz@fws.gov>
Date: Mon, Mar 5, 2018 at 6:35 PM
Subject: Re: [For Review] FY19 Draft Hearing Q and As
To: "Ren, Chun-Xue" <chun-xue_ren@fws.gov>
Cc: Martha BalisLarsen <martha_balislarsen@fws.gov>

Hi Chun,
I haven't finished reviewing the first 10 questions, but have several more to go.

If you want to see the comments I have made so far, you can find the document at R:\AES\DAES\Gina Review.

Gina Shultz
Deputy Assistant Director, Ecological Services
U.S. Fish and Wildlife Service
MS: ES
5275 Leesburg Pike
Falls Church, VA 22041-3803
703-358-1985

On Thu, Mar 1, 2018 at 12:08 PM, Ren, Chun-Xue <chun-xue_ren@fws.gov> wrote:
Gina and Gary,

In anticipation of at least a House hearing with Greg, Division of Budget has put together a list of questions for us. Given how short the budget is, they expect more questions than usual.

The attached draft Q and As have been reviewed by the Branch and Division Chiefs. We would appreciate your review and feedback. The due date of this document to the Budget office is Monday, March 5th.

Thank you for your time,
Chun-Xue Ren
Branch Chief for Budget and Support
Headquarters, Fish and Wildlife Service

6/18/2019

DEPARTMENT OF THE INTERIOR Mail - Fwd: [For Review] FY19 Draft Hearing Q and As

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 **2019 Approps hearing Q and A Ecological Services as of 03.01.2018_gms.docx**
54K



Nolin, Chris <chris_nolin@fws.gov>

Fwd: [EXTERNAL] RE: Update: R2 trip for Emma

1 message

Merkel, Rachel <rachel_merkel@fws.gov>

Tue, May 29, 2018 at 10:04 AM

To: Chris Nolin <chris_nolin@fws.gov>, Jessica Huffman <jessica_huffman@fws.gov>

Looking at the issues, I suggest Hillary participate in this trip. She has never gone on a Service trip before.

Rachel Merkel
Chief of Budget Formulation
Division of Budget
U.S. Fish and Wildlife Service
703-358-2545

----- Forwarded message -----

From: **Farrell, Steven** <steven_farrell@ios.doi.gov>

Date: Tue, May 29, 2018 at 10:00 AM

Subject: Re: [EXTERNAL] RE: Update: R2 trip for Emma

To: "Roach, Emma K. EOP/OMB" <Emma_K_Roach@omb.eop.gov>

Cc: "Nolin, Chris" <chris_nolin@fws.gov>, Rachel Merkel <rachel_merkel@fws.gov>, Jessica Huffman <jessica_huffman@fws.gov>

Good morning - due to the 2020 formulation schedule, we are trying to schedule OMB travel during June.

Thanks

On Tue, May 29, 2018 at 9:48 AM, Roach, Emma K. EOP/OMB <Emma_K_Roach@omb.eop.gov> wrote:

+Steve

Chris—

Thanks for sending this over. The topics to be covered are on the mark of what I'm interested in seeing.

Do you have a sense of timing for when the Region could pull this together by? I know that the Department has some pretty tight time restrictions for travel, which Steve can speak to.

Emma

From: Nolin, Chris <chris_nolin@fws.gov>
Sent: Wednesday, May 23, 2018 11:47 AM
To: Roach, Emma K. EOP/OMB <Emma_K_Roach@omb.eop.gov>
Cc: Rachel Merkel <rachel_merkel@fws.gov>; Jessica Huffman <jessica_huffman@fws.gov>
Subject: Fwd: Update: R2 trip for Emma

Here are some thoughts on travel. Let me know what looks appealing.

Thanks.

-The general categories I requested for the trip are:

1. Border Wall (Santa Ana NWR)
2. Oil and gas permitting (Texas and OK refuges)
3. Mexican Wolf
4. Hurricane damage (Texas coast)

Unfortunately the region is not sure whether or not they can provide a Mexican wolf site visit as the wolves may be moved from their current location at Ladder Ranch. The remaining wolves are either in the wild or in Zoos.

The region would be happy for you to visit Santa Ana NWR to discuss border wall issues, and Deep Fork or Haggerman National Wildlife Refuge in OK and or N. Texas are good sites for oil and gas permitting discussions. Additionally, there are plenty of refuges in South Texas that have oil and gas and NRDA activities taking place.

A lot of these are pretty far apart though, so you will have to decide how much travel you want to do.

TEXAS

In response to the request for possible site visits for Emma Roach to Natural Resource Damage Assessment (NRDA) restoration sites along the Texas coast, we are providing the following list of options by upper, mid and lower coast. We have a number of additional restoration projects along the Texas coast that could work for site visit as well, though they may be a little hard to reach. Depending on availability and desire we can arrange tours of most. Please let me know if you have any questions or need further information.

Upper Coast

Greens Bayou and French Limited – Settlement funds from the French Limited and Greens Bayou NRDA cases were used to construction of 36 acres of intertidal wetlands within the Baytown Nature Center in Baytown, Harris County, Texas. The Baytown Nature Center is located in Baytown, Texas, 20 miles east of Houston. It is located on a 450-acre peninsula along the Houston Ship Channel and surrounded on three sides by Burnet Bay, Crystal Bay, and Scott Bay within the Galveston Bay complex.

Tex-Tin Superfund Site NRDA Swan Lake Marsh Construction - In compensation for injuries from the Tex-Tin Superfund NRDA site located near La Marque, Galveston County, Texas, approximately 70 acres of intertidal marsh constructed on the leeward side of the breakwater /wave barrier along the eastern border of Swan Lake.

Moses Lake Shoreline: On TNC's Texas City Prairie Preserve the project is building erosion protection and includes multiple funding and partners including NFWF's Gulf Environmental Benefit Funds (GEBF). No boat required

Galveston Island State Park restoration: funded with NFWF's GEBF to provide erosion protection and restore coastal wetlands in West Galveston Bay (Galveston Island). Best viewed by short boat ride but limited visibility by road.

Cow Trap Lake marsh and bird island rookery restoration: Located in the San Bernard NWR the project restored wetland and provides a rookery site for waterbirds. Funds included Coastal Program, NFWF GEBF and other partners. Requires a lengthy boat ride.

Mid Coast

Sea Turtle Early Restoration – Deepwater Horizon NRDA - \$20M - The primary goal of this project is to reduce sea turtle mortalities through continued support for stranding network, nest detection and protection activities in Texas and Mexico as part of the ongoing Kemp's Ridley sea turtle recovery efforts. The project component, implemented by the Texas Trustees and DOI, will provide funding to NPS, TPWD and other partner NGOs and universities to support ongoing nest detection and stranding patrols and protection for the next 10 years. Recovery efforts in Texas are coordinated out of the Sea Turtle Science and Recovery program at Padre Island National Seashore. Hatchling releases occur from July through August at the seashore and provide a good viewing opportunity to see the end results of this project.

Indian Point Shoreline Erosion Protection – Deepwater Horizon NRDA - \$2.2M - The Indian Point Shoreline Erosion Protection project would construct approximately 2,800 linear-feet of segmented breakwaters to protect 50 acres of critical seagrass, coastal marsh, lagoons and associated upland habitats within Indian Point on Corpus Christi Bay in San Patricio County. The project would protect the existing shoreline from wind and wave driven erosion and protect the remaining marsh and associated coastal habitats adjacent to the shoreline.

ASARCO NRDA Corpus Christi Bay Habitat Conservation and Restoration Initiative - Texas Parks and Wildlife Department acquisition of 200-500 acres of Mustang Island to connect properties belonging to The Nature Conservancy and the Mollie Beattie Preserve owned by the Texas General Land Office. The property is on the bayside of Mustang Island and contains critical habitat for the piping plover.

ASARCO NRDA Little Bay Habitat Restoration - Creation of 6.39 acres of shoreline marsh and 4.91 acres of new oyster reef in Little Bay, Rockport, Texas. Provides habitat restoration and protection of shoreline and seagrasses that had been degraded by erosion resulting in reduced bird utilization and water quality.

Lower Coast

Bahia Grande Hydrological Restoration – Deepwater Horizon NRDA - \$5M - The Bahia Grande Hydrologic Restoration project would restore and conserve the Bahia Grande wetland complex in the Laguna Atascosa National Wildlife Refuge (LANWR) near Brownsville, Texas. This project would enlarge and stabilize a pilot channel that would increase tidal flow into Bahia Grande, restoring the system's natural tidal exchange and creating habitat for a variety of fish, shellfish, and migratory waterfowl.

Bahia Corridor Acquisition - Deepwater Horizon NRDA - \$2.3M - The Bahia Grande Coastal Corridor Habitat Acquisition project would include acquisition of important coastal habitat that would be conveyed to the USFWS to be managed as part of the LANWR. This tract includes 1,322 acres of tidal wetlands, thorn scrub, and coastal prairie with more than a mile of frontage on the Lower Laguna Madre and almost 2 miles frontage on a tidal inlet called Laguna Vista Cove.

OKLAHOMA

National Resource Damage Assessment and Restoration project near Oklahoma City at the Arcadia Wildlife Management Area (WMA) that we could show Emma. The project is for the Double Eagle NRDAR settlement. At the WMA we created a water control structure to help create a wetland area that is used by wildlife and has an educational platform, and we removed nuisance Eastern Red Cedar trees from an upland area to improve prairie habitat, created viewing platforms for the public, and funded the creation of curriculum for students. Attached is presentation we put together a few years ago that illustrates some of the projects.

--

Chris Nolin

Budget Officer

US Fish & Wildlife Service

703-358-2343 desk

240-305-0490 cell

U.S. Fish and Wildlife Service Headquarters

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[Falls Church, VA 22041-3803](#)

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Steve Farrell

Department of the Interior - Budget Office

202-208-6690

From: [Willey, Seth](#)
To: [Gary Frazer](#)
Subject: Existing border wall, fence, & gates
Date: Friday, August 31, 2018 11:40:04 AM
Attachments: [image.png](#)



And here is a good article with pictures of the various types of wall current in place:

<https://www.revealnews.org/article/the-wall-building-a-continuous-u-s-mexico-barrier-would-be-a-tall-order/>

Seth L. Willey
Deputy ARD for Ecological Services
Southwest Region, USFWS
Seth_Willey@fws.gov
Work: 505-248-6492
Cell: 505-697-7600



Nolin, Chris <chris_nolin@fws.gov>

[EXTERNAL] Border Wall Contract - Hidalgo County, TX - Santa Ana Refuge?

1 message

Benjamin, Darren <Darren.Benjamin@mail.house.gov>

Mon, Nov 5, 2018 at 12:17 PM

To: "Moss, Adrienne" <Adrienne_Moss@ios.doi.gov>, Chris Nolin <chris_nolin@fws.gov>

Cc: "Hunn, Jocelyn" <Jocelyn.Hunn@mail.house.gov>, "Lesofski, Emy (Appropriations)" <Emy_Lesofski@appro.senate.gov>, "Ryan_Hunt@appro.senate.gov" <Ryan_Hunt@appro.senate.gov>

Adrienne,

Per the article below, announcing a six-mile section of border wall/levee in Hidalgo County, please let us know whether that section passes through or adjacent to Santa Ana National Wildlife Refuge.

Thanks,

D.

[Construction of President Donald Trump's border wall to begin in February](#)

By: Beatriz Alavarado, USA Today

A \$145 million contract has been awarded to start the construction of a border wall along the U.S. Mexico border in Texas.



Nolin, Chris <chris_nolin@fws.gov>

Border Wall contract inquiry

1 message

Nolin, Chris <chris_nolin@fws.gov>

Mon, Nov 5, 2018 at 5:12 PM

To: Moss Adrienne <Adrienne_Moss@ios.doi.gov>

Cc: "Farrell, Steven" <steven_farrell@ios.doi.gov>, Rachel Merkel <rachel_merkel@fws.gov>

Hi Adrienne,

Based on the 6 miles proposed in RGV-03 segment, that will impact 2 Lower Rio Grande Valley NWR (LRGV) refuge tracts, and the Bentsen State Park that is in between the two refuge tracts. The 6 mile segment will tie into border fence already in existence on the Abrams Tract of LRGV and be constructed for 6 miles east to Chimney Park.

Attached is the map showing the 2 refuge tracts and state park lands.

|||

2 attachments

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DOC001.pdf
100K

0 0.25 0.5Mi

El Morillo Banco (654 ac.)



 Border Fence

0 0.25 0.5Mi

La Parida Banco (447 ac.)



--- Border Fence



Nolin, Chris <chris_nolin@fws.gov>

Fwd: Thanks for your help today

1 message

Nolin, Chris <chris_nolin@fws.gov>

Tue, Nov 6, 2018 at 9:01 AM

To: "Spomer, Katherine" <katherine_spomer@fws.gov>

fyi

----- Forwarded message -----

From: **Winton, Bryan** <bryan_winton@fws.gov>

Date: Mon, Nov 5, 2018 at 5:02 PM

Subject: Re: Thanks for your help today

To: <chris_nolin@fws.gov>

Cc: Rob Jess <robert_jess@fws.gov>, Sonny Perez <sonny_perez@fws.gov>, Scot Edler <scot_edler@fws.gov>, Chris Perez <chris_perez@fws.gov>, Ernesto Reyes <ernesto_reyes@fws.gov>

Based on the 6 miles proposed in RGV-03 segment, that will impact 2 LRGV NWR refuge tracts, and the Bentsen State Park that is in between the two refuge tracts. The 6 mile segment will tie into border fence already in existence on the Abrams Tract of LRGV and be constructed for 6 miles east to Chimney Park.

Attached is the map showing the 2 refuge tracts and state park lands.

bryan

On Mon, Nov 5, 2018 at 3:16 PM Nolin, Chris <chris_nolin@fws.gov> wrote:

Thanks -

I don't have a contract, just this press release.

<https://www.cbp.gov/newsroom/national-media-release/border-wall-construction-project-begin-texas>

On Mon, Nov 5, 2018 at 4:10 PM Winton, Bryan <bryan_winton@fws.gov> wrote:

Yes, there are several LRGV NWR tracts affected. Can you forward me a copy of the contract you are viewing and I can provide more specifics.

bryan

On Mon, Nov 5, 2018 at 1:31 PM Nolin, Chris <chris_nolin@fws.gov> wrote:

Hi Bryan,

Does the contract that CBP just let to build the wall include your area?

Thanks.

On Thu, Apr 19, 2018 at 3:34 PM Winton, Bryan <bryan_winton@fws.gov> wrote:

Absolutely!

If there are any developments/updates by CBP on which refuge tracts (either Santa Ana NWR or Lower Rio Grande Valley NWR) will be impacted resulting from additional border fence/wall infrastructure, we will advise.

Sincerely,
bryan

On Thu, Apr 19, 2018 at 1:48 PM, Nolin, Chris <chris_nolin@fws.gov> wrote:

If anything comes up, could you let me know?

Thanks!

--

Chris Nolin
Budget Officer
US Fish & Wildlife Service
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MS: BPHC
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Bryan R. Winton, Wildlife Refuge Manager
Lower Rio Grande Valley National Wildlife Refuge
3325 Green Jay Road, Alamo, Texas 78516
(956) 784-7521 office; (956) 874-4304 cell
bryan_winton@fws.gov

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bryan_winton@fws.gov

--

Chris Nolin
Budget Officer
US Fish & Wildlife Service

8/2/2019

DEPARTMENT OF THE INTERIOR Mail - Fwd: Thanks for your help today

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2 attachments

 **DOC000.pdf**
111K

 **DOC001.pdf**
100K

[Committee Print showing amendments adopted to HR 3548]

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the “Border Security for America Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

TITLE I—BORDER SECURITY

Sec. 101. Definitions.

Subtitle A—Infrastructure and Equipment

Sec. 111. Strengthening the requirements for barriers along the southern border.

Sec. 112. Air and Marine Operations flight hours.

Sec. 113. Capability deployment to specific sectors and transit zone.

Sec. 114. U.S. Border Patrol physical infrastructure improvements.

Sec. 115. U.S. Border Patrol activities.

Sec. 116. Border security technology program management.

Sec. 117. National Guard support to secure the southern border and reimbursement of States for deployment of the National Guard at the southern border.

Sec. 118. Operation Phalanx.

Sec. 119. Merida Initiative.

Sec. 120. Prohibitions on actions that impede border security on certain Federal land.

Sec. 121. Landowner and rancher security enhancement.

Sec. 122. Eradication of carrizo cane and salt cedar.

Sec. 123. Southern border threat analysis.

Sec. 124. Amendments to U.S. Customs and Border Protection.

Sec. 125. Agent and officer technology use.

Sec. 126. Integrated Border Enforcement Teams.

Sec. 127. Tunnel Task Forces.

Subtitle B—Personnel

Sec. 131. Additional U.S. Customs and Border Protection agents and officers.

Sec. 132. U.S. Customs and Border Protection retention incentives.

Sec. 133. Anti-Border Corruption Reauthorization Act.

Sec. 134. Training for officers and agents of U.S. Customs and Border Protection.

Subtitle C—Grants

Sec. 141. Operation Stonegarden.

Subtitle D—Authorization of Appropriations

Sec. 151. Authorization of appropriations.

TITLE II—EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING

Sec. 201. Ports of entry infrastructure.

Sec. 202. Secure communications.

Sec. 203. Border security deployment program.

Sec. 204. Pilot and upgrade of license plate readers at ports of entry.

Sec. 205. Non-intrusive inspection operational demonstration.

Sec. 206. Biometric exit data system.

Sec. 207. Sense of Congress on cooperation between agencies.

Sec. 208. Authorization of appropriations.

Sec. 209. Definition.

TITLE I—BORDER SECURITY

SEC. 101. DEFINITIONS.

In this title:

(1) **ADVANCED UNATTENDED SURVEILLANCE SENSORS.**—The term “advanced unattended surveillance sensors” means sensors that utilize an onboard computer to analyze detections in an effort to discern between vehicles, humans, and animals, and ultimately filter false positives prior to transmission.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEE.**—The term “appropriate congressional committee” has the meaning given the term in section 2(2) of the Homeland Security Act of 2002 (6 U.S.C. 101(2)).

(3) **COMMISSIONER.**—The term “Commissioner” means the Commissioner of U.S. Customs and Border Protection.

(4) **HIGH TRAFFIC AREAS.**—The term “high traffic areas” has the meaning given such term in section 102(e)(1) of the Illegal Immigration

Reform and Immigrant Responsibility Act of 1996, as amended by section 111 of this Act.

(5) OPERATIONAL CONTROL.—The term “operational control” has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109–367).

(5) SECRETARY.—The term “Secretary” means the Secretary of Homeland Security.

(6) SITUATIONAL AWARENESS.—The term “situational awareness” has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

(7) TRANSIT ZONE.—The term “transit zone” has the meaning given such term in section 1092(a)(8) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223(a)(7)).

subtitle A—Infrastructure and Equipment

SEC. 111. STRENGTHENING THE REQUIREMENTS FOR BARRIERS ALONG THE SOUTHERN BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Division C of Public Law 104–208; 8 U.S.C. 1103 note) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—The Secretary of Homeland Security shall take such actions as may be necessary (including the removal of obstacles to detection of illegal entrants) to construct, install, deploy, operate, and maintain tactical infrastructure and technology in the vicinity of the United States border to achieve situational awareness and operational control of the border and deter, impede, and detect illegal activity in high traffic areas.”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “FENCING” and inserting “PHYSICAL BARRIERS”;

(B) in paragraph (1)—

(i) in subparagraph (A), by inserting “situational awareness and” before “operational control”; and

(ii) by amending subparagraph (B) to read as follows:

“(B) TACTICAL INFRASTRUCTURE.—

“(i) IN GENERAL.—Not later than January 20, 2021, the Secretary of Homeland Security, in carrying out subsection (a), shall deploy along the United States border the most practical and effective tactical infrastructure available for achieving situational awareness and operational control of the border.

“(ii) EXCEPTION FOR CERTAIN TACTICAL INFRASTRUCTURE.—The deployment of tactical infrastructure under this subparagraph shall not apply in areas along the border where natural terrain features, natural barriers, or the remoteness of such area would make deployment ineffective, as determined by the Secretary, for the purposes of gaining situational awareness or operational control of such areas.”; and

(iii) in subparagraph (C)—

(I) by amending clause (i) to read as follows:

“(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall, before deploying tactical infrastructure in a specific area or region, consult with the Secretary of the Interior, the Secretary of Agriculture, the Governors for each State on the southern land border and northern land border, other States, local governments, Indian tribes, representatives of the U.S. Border Patrol and U.S. Customs and Border Protection, relevant Federal, State, local, and tribal agencies that have jurisdiction on the southern land

border or in the maritime environment along the southern border, and private property owners in the United States to minimize the impact on the environment, culture, commerce, quality of life for the communities and residents located near the sites at which physical barriers, tactical infrastructure, and technology are to be constructed.”;

(II) by redesignating clause (ii) as clause (iii); and

(III) by inserting after clause (i), as amended, the following new clause:

“(ii) NOTIFICATION.—Not later than 60 days after the consultation required under clause (i), the Secretary of Homeland Security shall notify the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate of the type of tactical infrastructure and technology the Secretary has determined is most practical and effective to achieve operational control and situational awareness in a specific area and the other alternatives the Secretary considered before making such a determination.”;

(C) in paragraph (2)—

(i) by striking “Attorney General” and inserting “Secretary of Homeland Security”; and

(ii) by striking “construction of fences” and inserting “the construction of physical barriers”; and

(D) by amending paragraph (3) to read as follows:

“(3) AGENT SAFETY.—In carrying out this section, the Secretary of Homeland Security, when constructing tactical infrastructure, shall incorporate such safety features into the design of such tactical infrastructure that the Secretary determines, in the Secretary’s sole discretion, are necessary to maximize the safety and effectiveness of officers or agents of the Department of Homeland Security or of any other Federal agency.”;

(3) in subsection (c), by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security is authorized to waive all legal requirements the Secretary, in the Secretary’s sole discretion, determines necessary to ensure the expeditious construction, installation, operation, and maintenance of the tactical infrastructure and technology under this section. Any such decision by the Secretary shall be effective upon publication in the Federal Register.”; and

(4) by adding after subsection (d) the following new subsections:

“(e) CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF TECHNOLOGY.—Not later than January 20, 2021, the Secretary of Homeland Security, in carrying out subsection (a), shall deploy along the United States border the most practical and effective technology available for achieving situational awareness and operational control of the border.

“(f) DEFINITIONS.—In this section:

“(1) HIGH TRAFFIC AREAS.—The term ‘high traffic areas’ means areas in the vicinity of the United States border that—

“(A) are within the responsibility of U.S. Customs and Border Protection; and

“(B) have significant unlawful cross-border activity.

“(2) OPERATIONAL CONTROL.—The term ‘operational control’ has the meaning given such term in section 2(b) of the Secure Fence Act of 2006 (8 U.S.C. 1701 note; Public Law 109–367).

“(3) SITUATIONAL AWARENESS DEFINED.—The term ‘situational awareness’ has the meaning given such term in section 1092(a)(7) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

“(4) TACTICAL INFRASTRUCTURE.—The term ‘tactical infrastructure’ means—

“(A) boat ramps, access gates, checkpoints, lighting, and roads; and

“(B) physical barriers (including fencing, border wall system, and levee walls).

“(5) TECHNOLOGY DEFINED.—The term ‘technology’ includes border surveillance and detection technology, including the following:

“(A) Tower-based surveillance technology.

“(B) Deployable, lighter-than-air ground surveillance equipment.

“(C) Vehicle and Dismount Exploitation Radars (VADER).

“(D) 3-dimensional, seismic acoustic detection and ranging border tunneling detection technology.

“(E) Advanced unattended surveillance sensors.

“(F) Mobile vehicle-mounted and man-portable surveillance capabilities.

“(G) Unmanned aerial vehicles.”.

SEC. 112. AIR AND MARINE OPERATIONS FLIGHT HOURS.

(a) INCREASED FLIGHT HOURS.—The Secretary shall ensure that not fewer than 95,000 annual flight hours are carried out by Air and Marine Operations of U.S. Customs and Border Protection.

(b) UNMANNED AERIAL SYSTEM.—The Secretary shall ensure that Air and Marine Operations operate unmanned aerial systems on the southern border of the United States for not less than 24 hours per day for five days per week.

(c) CONTRACT AIR SUPPORT AUTHORIZATION.—The Commissioner shall contract for the unfulfilled identified air support mission critical hours, as identified by the Chief of the U.S. Border Patrol.

(d) PRIMARY MISSION.—The Commissioner shall ensure that—

(1) the primary missions for Air and Marine Operations are to directly support U.S. Border Patrol activities along the southern border of the United States and Joint Interagency Task Force South operations in the transit zone; and

(2) the Executive Assistant Commissioner of Air and Marine Operations assigns the greatest priority to support missions established by the Commissioner to carry out the requirements under this Act.

(e) HIGH-DEMAND FLIGHT HOUR REQUIREMENTS.—In accordance with subsection (d), the Commissioner shall ensure that U.S. Border Patrol Sector Chiefs—

(1) identify critical flight hour requirements; and

(2) direct Air and Marine Operations to support requests from Sector Chiefs as their primary mission.

(f) SMALL UNMANNED AERIAL VEHICLES.—

(1) IN GENERAL.—The Chief of the U.S. Border Patrol shall be the operational lead for U.S. Customs and Border Protection’s use of small unmanned aerial vehicles for the purpose of meeting the U.S. Border Patrol’s unmet flight hour operational requirements and to achieve situational awareness and operational control.

(2) COORDINATION.—In carrying out paragraph (1), the Chief of the U.S. Border Patrol shall coordinate with the Executive Assistant Commissioner for Air and Marine Operations of U.S. Customs and Border Protection to ensure the safety of other aircraft flying in the vicinity of small unmanned aerial vehicles operated by the U.S. Border Patrol.

(3) DEFINITION.—In this subsection, the term “small unmanned aerial vehicle” means any unmanned aerial vehicle operated by U.S. Customs and Border Protection weighing less than 55 pounds.

(4) CONFORMING AMENDMENT.—Paragraph (3) of section 411(e) of the Homeland Security Act of 2002 (6 U.S.C. 211(e)) is amended—

(A) in subparagraph (B), by striking “and” after the semicolon at the end;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following new subparagraph:

“(C) carry out the small unmanned aerial vehicle requirements pursuant to subsection (f) of section 112 of the Border Security for America Act of 2017; and”.

SEC. 113. CAPABILITY DEPLOYMENT TO SPECIFIC SECTORS AND TRANSIT ZONE.

(a) IN GENERAL.—Not later than January 20, 2021, the Secretary, in implementing section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (as amended by section 111 of this Act), and acting through the appropriate component of the Department of Homeland Security, shall deploy to each sector or region of the southern border and the northern border, in a prioritized manner to achieve situational awareness and operational control of such borders, the following additional capabilities:

(1) SAN DIEGO SECTOR.—For the San Diego sector, the following:

(A) Tower-based surveillance technology.

(B) Subterranean surveillance and detection technologies.

(C) To increase coastal maritime domain awareness, the following:

(i) Deployable, lighter-than-air surface surveillance equipment.

(ii) Unmanned aerial vehicles with maritime surveillance capability.

- (iii) Maritime patrol aircraft.
- (iv) Coastal radar surveillance systems.
- (v) Maritime signals intelligence capabilities.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(I) Improved agent communications capabilities.

(2) EL CENTRO SECTOR.—For the El Centro sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Man-portable unmanned aerial vehicles.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Man-portable unmanned aerial vehicles.

(H) Improved agent communications capabilities.

(3) YUMA SECTOR.—For the Yuma sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Ultralight aircraft detection capabilities.

(D) Advanced unattended surveillance sensors.

(E) A rapid reaction capability supported by aviation assets.

(F) Mobile vehicle-mounted and man-portable surveillance systems.

(G) Man-portable unmanned aerial vehicles.

(H) Improved agent communications capabilities.

(4) TUCSON SECTOR.—For the Tucson sector, the following:

(A) Tower-based surveillance technology.

(B) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(C) Deployable, lighter-than-air ground surveillance equipment.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Man-portable unmanned aerial vehicles.

(H) Improved agent communications capabilities.

(5) EL PASO SECTOR.—For the El Paso sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Ultralight aircraft detection capabilities.

(D) Advanced unattended surveillance sensors.

(E) Mobile vehicle-mounted and man-portable surveillance systems.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(I) Improved agent communications capabilities.

(6) **BIG BEND SECTOR.**—For the Big Bend sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Improved agent communications capabilities.

(D) Ultralight aircraft detection capabilities.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(I) Improved agent communications capabilities.

(7) **DEL RIO SECTOR.**—For the Del Rio sector, the following:

(A) Tower-based surveillance technology.

(B) Increased monitoring for cross-river dams, culverts, and footpaths.

(C) Improved agent communications capabilities.

(D) Improved maritime capabilities in the Amistad National Recreation Area.

(E) Advanced unattended surveillance sensors.

(F) A rapid reaction capability supported by aviation assets.

(G) Mobile vehicle-mounted and man-portable surveillance capabilities.

(H) Man-portable unmanned aerial vehicles.

(I) Improved agent communications capabilities.

(8) LAREDO SECTOR.—For the Laredo sector, the following:

(A) Tower-based surveillance technology.

(B) Maritime detection resources for the Falcon Lake region.

(C) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(D) Increased monitoring for cross-river dams, culverts, and footpaths.

(E) Ultralight aircraft detection capability.

(F) Advanced unattended surveillance sensors.

(G) A rapid reaction capability supported by aviation assets.

(H) Man-portable unmanned aerial vehicles.

(I) Improved agent communications capabilities.

(9) RIO GRANDE VALLEY SECTOR.—For the Rio Grande Valley sector, the following:

(A) Tower-based surveillance technology.

(B) Deployable, lighter-than-air ground surveillance equipment.

(C) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(D) Ultralight aircraft detection capability.

(E) Advanced unattended surveillance sensors.

(F) Increased monitoring for cross-river dams, culverts, footpaths.

(G) A rapid reaction capability supported by aviation assets.

(H) Increased maritime interdiction capabilities.

(I) Mobile vehicle-mounted and man-portable surveillance capabilities.

(J) Man-portable unmanned aerial vehicles.

(K) Improved agent communications capabilities.

(10) BLAINE SECTOR.—For the Blaine sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Coastal radar surveillance systems.

(C) Increased maritime interdiction capabilities.

(D) Mobile vehicle-mounted and man-portable surveillance capabilities.

(E) Advanced unattended surveillance sensors.

- (F) Ultralight aircraft detection capabilities.
- (G) Man-portable unmanned aerial vehicles.
- (H) Improved agent communications capabilities.

(11) SPOKANE SECTOR.—For the Spokane sector, the following:

- (A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.
- (B) Increased maritime interdiction capabilities.
- (C) Mobile vehicle-mounted and man-portable surveillance capabilities.
- (D) Advanced unattended surveillance sensors.
- (E) Ultralight aircraft detection capabilities.
- (F) Completion of six miles of the Bog Creek road.
- (G) Man-portable unmanned aerial vehicles.
- (H) Improved agent communications systems.

(12) HAVRE SECTOR.—For the Havre sector, the following:

- (A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.
- (B) Mobile vehicle-mounted and man-portable surveillance capabilities.
- (C) Advanced unattended surveillance sensors.
- (D) Ultralight aircraft detection capabilities.
- (E) Man-portable unmanned aerial vehicles.
- (F) Improved agent communications systems.

(13) GRAND FORKS SECTOR.—For the Grand Forks sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Mobile vehicle-mounted and man-portable surveillance capabilities.

(C) Advanced unattended surveillance sensors.

(D) Ultralight aircraft detection capabilities.

(E) Man-portable unmanned aerial vehicles.

(F) Improved agent communications systems.

(14) DETROIT SECTOR.—For the Detroit sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Coastal radar surveillance systems.

(C) Increased maritime interdiction capabilities.

(D) Mobile vehicle-mounted and man-portable surveillance capabilities.

(E) Advanced unattended surveillance sensors.

(F) Ultralight aircraft detection capabilities.

(G) Man-portable unmanned aerial vehicles.

(H) Improved agent communications systems.

(15) BUFFALO SECTOR.—For the Buffalo sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Coastal radar surveillance systems.

(C) Increased maritime interdiction capabilities.

(D) Mobile vehicle-mounted and man-portable surveillance capabilities.

(E) Advanced unattended surveillance sensors.

(F) Ultralight aircraft detection capabilities.

(G) Man-portable unmanned aerial vehicles.

(H) Improved agent communications systems.

(16) SWANTON SECTOR.—For the Swanton sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Mobile vehicle-mounted and man-portable surveillance capabilities.

(C) Advanced unattended surveillance sensors.

(D) Ultralight aircraft detection capabilities.

(E) Man-portable unmanned aerial vehicles.

(F) Improved agent communications systems.

(17) HOULTON SECTOR.—For the Houlton sector, the following:

(A) Increased flight hours for aerial detection, interdiction, and monitoring operations capability.

(B) Mobile vehicle-mounted and man-portable surveillance capabilities.

(C) Advanced unattended surveillance sensors.

(D) Ultralight aircraft detection capabilities.

(E) Man-portable unmanned aerial vehicles.

(F) Improved agent communications systems.

(18) TRANSIT ZONE.—For the transit zone, the following:

(A) Not later than two years after the date of the enactment of this Act, an increase in the number of overall cutter, boat, and aircraft hours spent conducting interdiction operations over the average number of such hours during the preceding three fiscal years.

(B) Increased maritime signals intelligence capabilities.

(C) To increase maritime domain awareness, the following:

(i) Unmanned aerial vehicles with maritime surveillance capability.

(ii) Increased maritime aviation patrol hours.

(D) Increased operational hours for maritime security components dedicated to joint counter-smuggling and interdiction efforts with other Federal agencies, including the Deployable Specialized Forces of the Coast Guard.

(E) Coastal radar surveillance systems with long range day and night cameras capable of providing full maritime domain awareness of the United States territorial waters surrounding Puerto Rico, Mona Island, Desecheo Island, Vieques Island, Culebra Island, Saint Thomas, Saint John, and Saint Croix.

(b) TACTICAL FLEXIBILITY.—

(1) SOUTHERN AND NORTHERN LAND BORDERS.—

(A) IN GENERAL.—Beginning on January 20, 2020, or after the Secretary has deployed at least 25 percent of the capabilities required in each sector specified in subsection (a), whichever comes later, the Secretary may deviate from such capability

deployments if the Secretary determines that such deviation is required to achieve situational awareness or operational control.

(B) NOTIFICATION.—If the Secretary exercises the authority described in subparagraph (A), the Secretary shall, not later than 90 days after such exercise, notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives regarding the deviation under such subparagraph that is the subject of such exercise. If the Secretary makes any changes to such deviation, the Secretary shall, not later than 90 days after any such change, notify such committees regarding such change.

(2) TRANSIT ZONE.—

(A) NOTIFICATION.—The Secretary shall notify the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives regarding the capability deployments for the transit zone specified in paragraph (18) of subsection (a), including information relating to—

(i) the number and types of assets and personnel deployed; and

(ii) the impact such deployments have on the capability of the Coast Guard to conduct its mission in the transit zone referred to in paragraph (18) of subsection (a).

(B) ALTERATION.—The Secretary may alter the capability deployments referred to in this section if the Secretary—

(i) determines, after consultation with the committees referred to in subparagraph (A), that such alteration is necessary; and

(ii) not later than 30 days after making a determination under clause (i), notifies the committees referred to in such

subparagraph regarding such alteration, including information relating to—

(I) the number and types of assets and personnel deployed pursuant to such alteration; and

(II) the impact such alteration has on the capability of the Coast Guard to conduct its mission in the transit zone referred to in paragraph (18) of subsection (a).

(c) EXIGENT CIRCUMSTANCES.—

(1) IN GENERAL.—Notwithstanding subsection (b), the Secretary may deploy the capabilities referred to in subsection (a) in a manner that is inconsistent with the requirements specified in such subsection if, after the Secretary has deployed at least 25 percent of such capabilities, the Secretary determines that exigent circumstances demand such an inconsistent deployment or that such an inconsistent deployment is vital to the national security interests of the United States.

(2) NOTIFICATION.—The Secretary shall notify the Committee on Homeland Security of the House of Representative and the Committee on Homeland Security and Governmental Affairs of the Senate not later than 30 days after making a determination under paragraph (1). Such notification shall include a detailed justification regarding such determination.

SEC. 114. U.S. BORDER PATROL PHYSICAL INFRASTRUCTURE IMPROVEMENTS.

The Secretary shall upgrade existing physical infrastructure of the Department of Homeland Security, and construct and acquire additional physical infrastructure, including—

(1) U.S. Border Patrol stations;

(2) U.S. Border Patrol checkpoints;

(3) mobile command centers; and

(4) other necessary facilities, structures, and properties.

SEC. 115. U.S. BORDER PATROL ACTIVITIES.

The Chief of the U.S. Border Patrol shall prioritize the deployment of U.S. Border Patrol agents to as close to the physical land border as possible, consistent with border security enforcement priorities and accessibility to such areas.

SEC. 116. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following new section:

“SEC. 434. BORDER SECURITY TECHNOLOGY PROGRAM MANAGEMENT.

“(a) MAJOR ACQUISITION PROGRAM DEFINED.—In this section, the term ‘major acquisition program’ means an acquisition program of the Department that is estimated by the Secretary to require an eventual total expenditure of at least \$300,000,000 (based on fiscal year 2017 constant dollars) over its life cycle cost.

“(b) PLANNING DOCUMENTATION.—For each border security technology acquisition program of the Department that is determined to be a major acquisition program, the Secretary shall—

“(1) ensure that each such program has a written acquisition program baseline approved by the relevant acquisition decision authority;

“(2) document that each such program is meeting cost, schedule, and performance thresholds as specified in such baseline, in compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

“(3) have a plan for meeting program implementation objectives by managing contractor performance.

“(c) ADHERENCE TO STANDARDS.—The Secretary, acting through the Under Secretary for Management and the Commissioner of U.S. Customs and Border Protection, shall ensure border security technology acquisition program managers who are responsible for carrying out this section adhere to relevant internal control standards identified by the Comptroller General of the United States. The Commissioner shall provide information, as needed, to assist the Under Secretary in monitoring management of border security technology acquisition programs under this section.

“(d) PLAN.—The Secretary, acting through the Under Secretary for Management, in coordination with the Under Secretary for Science and Technology and the Commissioner of U.S. Customs and Border Protection, shall submit to the appropriate congressional committees a plan for testing, evaluating, and using independent verification and validation resources for border security technology. Under the plan, new border security technologies shall be evaluated through a series of assessments, processes, and audits to ensure—

“(1) compliance with relevant departmental acquisition policies and the Federal Acquisition Regulation; and

“(2) the effective use of taxpayer dollars.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 433 the following new item:

“Sec. 434. Border security technology program management.”.

(c) PROHIBITION ON ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—No additional funds are authorized to be appropriated to carry out section 434 of the Homeland Security Act of 2002, as added by subsection (a). Such section shall be carried out using amounts otherwise authorized for such purposes.

SEC. 117. NATIONAL GUARD SUPPORT TO SECURE THE SOUTHERN BORDER AND REIMBURSEMENT OF STATES FOR DEPLOYMENT OF THE NATIONAL GUARD AT THE SOUTHERN BORDER.

(a) IN GENERAL.—With the approval of the Secretary and the Secretary of Defense, the Governor of a State may order any units or personnel of the National Guard of such State to perform operations and missions under section 502(f) of title 32, United States Code, along the southern border for the purposes of assisting U.S. Customs and Border Protection to achieve situational awareness and operational control of the border.

(b) ASSIGNMENT OF OPERATIONS AND MISSIONS.—

(1) IN GENERAL.—National Guard units and personnel deployed under subsection (a) may be assigned such operations and missions specified in subsection (c) as may be necessary to secure the southern border.

(2) NATURE OF DUTY.—The duty of National Guard personnel performing operations and missions described in paragraph (1) shall be full-time duty under title 32, United States Code.

(c) RANGE OF OPERATIONS AND MISSIONS.—The operations and missions assigned under subsection (b) shall include the temporary authority to—

(1) construct reinforced fencing or other barriers;

(2) operate ground-based surveillance systems;

(3) operate unmanned and manned aircraft;

(4) provide radio communications interoperability between U.S. Customs and Border Protection and State, local, and tribal law enforcement agencies;

(5) construct checkpoints along the Southern border to bridge the gap to long-term permanent checkpoints; and

(6) provide intelligence support.

(d) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense shall deploy such materiel, equipment, and logistical support as may be necessary to ensure success of the operations and missions conducted by the National Guard under this section.

(e) EXCLUSION FROM NATIONAL GUARD PERSONNEL STRENGTH LIMITATIONS.—National Guard personnel deployed under subsection (a) shall not be included in—

(1) the calculation to determine compliance with limits on end strength for National Guard personnel; or

(2) limits on the number of National Guard personnel that may be placed on active duty for operational support under section 115 of title 10, United States Code.

(f) REIMBURSEMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall reimburse States for the cost of the deployment of any units or personnel of the National Guard to perform operations and missions in full-time State Active Duty in support of a southern border mission. The Secretary of Defense may not seek reimbursement from the Secretary for any reimbursements paid to States for the costs of such deployments.

(2) LIMITATION.—The total amount of reimbursements under this section may not exceed \$35,000,000 for any fiscal year.

SEC. 118. OPERATION PHALANX.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary, shall provide assistance to U.S. Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern border.

(b) TYPES OF ASSISTANCE AUTHORIZED.—The assistance provided under subsection (a) may include—

(1) deployment of manned aircraft, unmanned aerial surveillance systems, and ground-based surveillance systems to support continuous surveillance of the southern border; and

(2) intelligence analysis support.

(c) MATERIEL AND LOGISTICAL SUPPORT.—The Secretary of Defense may deploy such materiel, equipment, and logistics support as may be necessary to ensure the effectiveness of the assistance provided under subsection (a).

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for the Department of Defense \$75,000,000 to provide assistance under this section. The Secretary of Defense may not seek reimbursement from the Secretary for any assistance provided under this section.

(e) REPORTS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and annually thereafter, the Secretary of Defense shall submit a report to the appropriate congressional defense committees (as defined in section 101(a)(16) of title 10, United States Code) regarding any assistance provided under subsection (a) during the period specified in paragraph (3).

(2) ELEMENTS.—Each report under paragraph (1) shall include, for the period specified in paragraph (3), a description of—

(A) the assistance provided;

(B) the sources and amounts of funds used to provide such assistance; and

(C) the amounts obligated to provide such assistance.

(3) PERIOD SPECIFIED.—The period specified in this paragraph is—

(A) in the case of the first report required under paragraph (1), the 90-day period beginning on the date of the enactment of this Act; and

(B) in the case of any subsequent report submitted under paragraph (1), the calendar year for which the report is submitted.

(a) SENSE OF CONGRESS.—It is the sense of Congress that assistance to Mexico, including assistance from the Department of State and the Department of Defense and any aid related to the Merida Initiative should—

(1) focus on providing enhanced border security at Mexico’s northern and southern borders, judicial reform, and support for Mexico’s anti-drug efforts; and

(2) return to its original focus and prioritize security, training, and acquisition of equipment for Mexican security forces involved in anti-drug efforts as well as be used to train prosecutors in ongoing justice reform efforts.

(b) ASSISTANCE FOR MEXICO.—The Secretary of State, in coordination with the Secretary and the Secretary of Defense, shall provide level and consistent assistance to Mexico to—

(1) combat drug production and trafficking and related violence, transnational organized criminal organizations, and corruption;

(2) build a secure, modern border security system capable of preventing illegal migration;

(3) support border security and cooperation with United States military, intelligence, and law enforcement agencies on border incursions;

(4) support judicial reform, institution building, and rule of law activities to build judicial capacity, address corruption and impunity, and support human rights; and

(5) provide for training and equipment for Mexican security forces involved in efforts to eradicate and interdict drugs.

(c) ALLOCATION OF FUNDS; REPORT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, 50 percent of any assistance appropriated in any appropriations Act to implement this section shall be withheld until after the Secretary of State submits a written report to the congressional committees specified in paragraph (3) certifying that the Government of Mexico is—

(A) significantly reducing illegal migration, drug trafficking, and cross-border criminal activities on Mexico's northern and southern borders;

(B) taking significant action to address corruption, impunity, and human rights abuses; and

(C) improving the transparency and accountability of Mexican Federal police forces and working with Mexican State and municipal authorities to improve the transparency and accountability of Mexican State and municipal police forces.

(2) MATTERS TO INCLUDE.—The report required under paragraph (1) shall include a description of—

(A) actions taken by the Government of Mexico to address the matters described in such paragraph;

(B) any relevant assessments by civil society and non-government organizations in Mexico relating to such matters; and

(C) any instances in which the Secretary determines that the actions taken by the Government of Mexico are inadequate to address such matters.

(3) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees specified in this paragraph are—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on the Judiciary of the Senate;

(D) the Committee on Foreign Relations of the Senate;

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives; and

(H) the Committee on Foreign Affairs of the House of Representatives.

(d) NOTIFICATIONS.—Any assistance made available by the Secretary of State under this section shall be subject to—

(1) the notification procedures set forth in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1); and

(2) the notification requirements of—

(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Relations of the Senate;

(D) the Committee on Homeland Security of the House of Representatives;

(E) the Committee on the Judiciary of the House of Representatives; and

(F) the Committee on Foreign Affairs in the House of Representatives.

(e) SPENDING PLAN.—

(1) IN GENERAL.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State shall submit to the congressional committees specified in paragraph (2) a detailed spending plan for assistance to Mexico under this section, which shall include a strategy, developed after consulting with relevant authorities of the Government of Mexico, for—

(A) combating drug trafficking and related violence and organized crime; and

(B) anti-corruption and rule of law activities, which shall include concrete goals, actions to be taken, budget proposals, and a description of anticipated results.

(2) CONGRESSIONAL COMMITTEES SPECIFIED.—The congressional committees specified in this paragraph are—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Foreign Relations of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on the Judiciary of the Senate;

(E) the Committee on Appropriations of the House of Representatives;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on Homeland Security of the House of Representatives; and

(H) the Committee on the Judiciary of the House of Representatives.

SEC. 120. PROHIBITIONS ON ACTIONS THAT IMPEDE BORDER SECURITY ON CERTAIN FEDERAL LAND.

(a) PROHIBITION ON INTERFERENCE WITH U.S. CUSTOMS AND BORDER PROTECTION.—

(1) IN GENERAL.—The Secretary concerned shall not impede, prohibit, or restrict activities of U.S. Customs and Border Protection on covered Federal land to execute search and rescue operations or to

prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the southern border or the northern border.

(2) APPLICABILITY.—The authority of U.S. Customs and Border Protection to conduct activities described in paragraph (1) on covered Federal land applies without regard to whether a state of emergency exists.

(b) AUTHORIZED ACTIVITIES OF U.S. CUSTOMS AND BORDER PROTECTION.—

(1) IN GENERAL.—U.S. Customs and Border Protection shall have immediate access to covered Federal land to conduct the activities described in paragraph (2) on such land to prevent all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband through the southern border or the northern border.

(2) ACTIVITIES DESCRIBED.—The activities described in this paragraph are—

(A) The use of motorized vehicles, foot patrols, and horseback to patrol the border area, apprehend illegal entrants, and rescue individuals; and

(B) the construction, installation, operation and maintenance of tactical infrastructure and border technology described in section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (as amended by section 111 of this Act).

(c) CLARIFICATION RELATING TO WAIVER AUTHORITY.—

(1) IN GENERAL.—The activities of U.S. Customs and Border Protection described in subsection (b)(2) may be carried out without regard to the provisions of law specified in paragraph (2).

(2) PROVISIONS OF LAW SPECIFIED.—The provisions of law specified in this section are all Federal, State, or other laws, regulations,

and legal requirements of, deriving from, or related to the subject of, the following laws:

(A) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(C) The Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) (commonly referred to as the “Clean Water Act”).

(D) Division A of subtitle III of title 54, United States Code (54 U.S.C. 300301 et seq.) (formerly known as the “National Historic Preservation Act”).

(E) The Migratory Bird Treaty Act (16 U.S.C. 703 et seq.).

(F) The Clean Air Act (42 U.S.C. 7401 et seq.).

(G) The Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.).

(H) The Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(I) The Noise Control Act of 1972 (42 U.S.C. 4901 et seq.).

(J) The Solid Waste Disposal Act (42 U.S.C. 6901 et seq.).

(K) The Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(L) Chapter 3125 of title 54, United States Code (formerly known as the “Archaeological and Historic Preservation Act”).

(M) The Antiquities Act (16 U.S.C. 431 et seq.).

(N) Chapter 3203 of title 54, United States Code (formerly known as the “Historic Sites, Buildings, and Antiquities Act”).

(O) The Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

(P) The Farmland Protection Policy Act (7 U.S.C. 4201 et seq.).

(Q) The Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.).

(R) The Wilderness Act (16 U.S.C. 1131 et seq.).

(S) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(T) The National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).

(U) The Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.).

(V) The Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.).

(W) Subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”).

(X) The Otay Mountain Wilderness Act of 1999 (Public Law 106–145).

(Y) Sections 102(29) and 103 of the California Desert Protection Act of 1994 (Public Law 103–433).

(Z) Division A of subtitle I of title 54, United States Code (formerly known as the “National Park Service Organic Act”).

(AA) The National Park Service General Authorities Act (Public Law 91–383, 16 U.S.C. 1a–1 et seq.).

(BB) Sections 401(7), 403, and 404 of the National Parks and Recreation Act of 1978 (Public Law 95–625).

(CC) Sections 301(a) through (f) of the Arizona Desert Wilderness Act (Public Law 101–628).

(DD) The Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(EE) The Eagle Protection Act (16 U.S.C. 668 et seq.).

(FF) The Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.).

(GG) The American Indian Religious Freedom Act (42 U.S.C. 1996).

(HH) The Religious Freedom Restoration Act (42 U.S.C. 2000bb).

(II) The National Forest Management Act of 1976 (16 U.S.C. 1600 et seq.).

(JJ) The Multiple Use and Sustained Yield Act of 1960 (16 U.S.C. 528 et seq.).

(3) APPLICABILITY OF WAIVER TO SUCCESSOR LAWS.—If a provision of law specified in paragraph (2) was repealed and incorporated into title 54, United States Code, after April 1, 2008, and before the date of the enactment of this Act, the waiver described in paragraph (1) shall apply to the provision of such title that corresponds to the provision of law specified in paragraph (2) to the same extent the waiver applied to that provision of law.

(4) SAVINGS CLAUSE.—The waiver authority under this subsection may not be construed as affecting, negating, or diminishing in any manner the applicability of section 552 of title 5, United States Code (commonly referred to as the “Freedom of Information Act”), in any relevant matter.

(d) PROTECTION OF LEGAL USES.—This section may not be construed to provide—

(1) authority to restrict legal uses, such as grazing, hunting, mining, or recreation or the use of backcountry airstrips, on land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture; or

(2) any additional authority to restrict legal access to such land.

(e) EFFECT ON STATE AND PRIVATE LAND.—This section shall—

(1) have no force or effect on State lands or private lands; and

(2) not provide authority on or access to State lands or private lands.

(f) TRIBAL SOVEREIGNTY.—Nothing in this section may be construed to supersede, replace, negate, or diminish treaties or other agreements between the United States and Indian tribes.

(g) MEMORANDA OF UNDERSTANDING.—The requirements of this section shall not apply to the extent that such requirements are incompatible with any memorandum of understanding or similar agreement entered into between the Commissioner of U.S. Customs and Border Protection and a National Park Unit before, on, or after the date of the enactment of this Act.

(h) DEFINITIONS.—In this section:

(1) COVERED FEDERAL LAND.—The term “covered Federal land” includes all land under the control of the Secretary concerned that is located within 100 miles of the southern border or the northern border.

(2) SECRETARY CONCERNED.—The term “Secretary concerned” means—

(A) with respect to land under the jurisdiction of the Department of Agriculture, the Secretary of Agriculture; and

(B) with respect to land under the jurisdiction of the Department of the Interior, the Secretary of the Interior.

SEC. 121. LANDOWNER AND RANCHER SECURITY ENHANCEMENT.

(a) ESTABLISHMENT OF NATIONAL BORDER SECURITY ADVISORY COMMITTEE.—The Secretary shall establish a National Border Security Advisory Committee, which—

(1) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to border security matters, including—

(A) verifying security claims and the border security metrics established by the Department of Homeland Security under section 1092 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 6 U.S.C. 223); and

(B) discussing ways to improve the security of high traffic areas along the northern border and the southern border; and

(2) may provide, through the Secretary, recommendations to Congress.

(b) CONSIDERATION OF VIEWS.—The Secretary shall consider the information, advice, and recommendations of the National Border Security Advisory Committee in formulating policy regarding matters affecting border security.

(c) MEMBERSHIP.—The National Border Security Advisory Committee shall consist of at least one member from each State who—

(1) has at least five years practical experience in border security operations; or

(2) lives and works in the United States within 80 miles from the southern border or the northern border.

(d) NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the National Border Security Advisory Committee.

SEC. 122. ERADICATION OF CARRIZO CANE AND SALT CEDAR.

Not later than January 20, 2021, the Secretary, after coordinating with the heads of the relevant Federal, State, and local agencies, shall begin eradicating the carrizo cane plant and any salt cedar along the Rio Grande River.

SEC. 123. SOUTHERN BORDER THREAT ANALYSIS.

(a) THREAT ANALYSIS.—

(1) REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a Southern border threat analysis.

(2) CONTENTS.—The analysis submitted under paragraph (1) shall include an assessment of—

(A) current and potential terrorism and criminal threats posed by individuals and organized groups seeking—

(i) to unlawfully enter the United States through the Southern border; or

(ii) to exploit security vulnerabilities along the Southern border;

(B) improvements needed at and between ports of entry along the Southern border to prevent terrorists and instruments of terror from entering the United States;

(C) gaps in law, policy, and coordination between State, local, or tribal law enforcement, international agreements, or tribal agreements that hinder effective and efficient border security, counterterrorism, and anti-human smuggling and trafficking efforts;

(D) the current percentage of situational awareness achieved by the Department along the Southern border;

(E) the current percentage of operational control achieved by the Department on the Southern border; and

(F) traveler crossing times and any potential security vulnerability associated with prolonged wait times.

(3) ANALYSIS REQUIREMENTS.—In compiling the Southern border threat analysis required under this subsection, the Secretary shall consider and examine—

(A) the technology needs and challenges, including such needs and challenges identified as a result of previous investments that have not fully realized the security and operational benefits that were sought;

(B) the personnel needs and challenges, including such needs and challenges associated with recruitment and hiring;

(C) the infrastructure needs and challenges;

(D) the roles and authorities of State, local, and tribal law enforcement in general border security activities;

(E) the status of coordination among Federal, State, local, tribal, and Mexican law enforcement entities relating to border security;

(F) the terrain, population density, and climate along the Southern border; and

(G) the international agreements between the United States and Mexico related to border security.

(4) CLASSIFIED FORM.—To the extent possible, the Secretary shall submit the Southern border threat analysis required under this subsection in unclassified form, but may submit a portion of the threat analysis in classified form if the Secretary determines such action is appropriate.

(b) U.S. BORDER PATROL STRATEGIC PLAN.—

(1) IN GENERAL.—Not later than 180 days after the submission of the threat analysis required under subsection (a) or June 30, 2018, and every five years thereafter, the Secretary, acting through the Chief of the U.S. Border Patrol, shall issue a Border Patrol Strategic Plan.

(2) CONTENTS.—The Border Patrol Strategic Plan required under this subsection shall include a consideration of—

(A) the Southern border threat analysis required under subsection (a), with an emphasis on efforts to mitigate threats identified in such threat analysis;

(B) efforts to analyze and disseminate border security and border threat information between border security components of the Department and other appropriate Federal departments and agencies with missions associated with the Southern border;

(C) efforts to increase situational awareness, including—

(i) surveillance capabilities, including capabilities developed or utilized by the Department of Defense, and any appropriate technology determined to be excess by the Department of Defense; and

(ii) the use of manned aircraft and unmanned aerial systems, including camera and sensor technology deployed on such assets;

(D) efforts to detect and prevent terrorists and instruments of terrorism from entering the United States;

(E) efforts to detect, interdict, and disrupt aliens and illicit drugs at the earliest possible point;

(F) efforts to focus intelligence collection to disrupt transnational criminal organizations outside of the international and maritime borders of the United States;

(G) efforts to ensure that any new border security technology can be operationally integrated with existing technologies in use by the Department;

(H) any technology required to maintain, support, and enhance security and facilitate trade at ports of entry, including nonintrusive detection equipment, radiation detection equipment, biometric

technology, surveillance systems, and other sensors and technology that the Secretary determines to be necessary;

(I) operational coordination unity of effort initiatives of the border security components of the Department, including any relevant task forces of the Department;

(J) lessons learned from Operation Jumpstart and Operation Phalanx;

(K) cooperative agreements and information sharing with State, local, tribal, territorial, and other Federal law enforcement agencies that have jurisdiction on the Northern border or the Southern border;

(L) border security information received from consultation with State, local, tribal, territorial, and Federal law enforcement agencies that have jurisdiction on the Northern border or the Southern border, or in the maritime environment, and from border community stakeholders (including through public meetings with such stakeholders), including representatives from border agricultural and ranching organizations and representatives from business and civic organizations along the Northern border or the Southern border;

(M) staffing requirements for all departmental border security functions;

(N) a prioritized list of departmental research and development objectives to enhance the security of the Southern border;

(O) an assessment of training programs, including training programs for—

(i) identifying and detecting fraudulent documents;

(ii) understanding the scope of enforcement authorities and the use of force policies; and

(iii) screening, identifying, and addressing vulnerable populations, such as children and victims of human trafficking; and

(P) an assessment of how border security operations affect border crossing times.

SEC. 124. AMENDMENTS TO U.S. CUSTOMS AND BORDER PROTECTION.

(a) DUTIES.—Subsection (c) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211) is amended—

(1) in paragraph (17), by striking “and” after the semicolon at the end;

(2) by redesignating paragraph (18) as paragraph (20); and

(3) by inserting after paragraph (17) the following new paragraphs:

“(18) administer the U.S. Customs and Border Protection public private partnerships under subtitle G;

“(19) administer preclearance operations under the Preclearance Authorization Act of 2015 (19 U.S.C. 4431 et seq.; enacted as subtitle B of title VIII of the Trade Facilitation and Trade Enforcement Act of 2015; 19 U.S.C. 4301 et seq.); and”.

(b) OFFICE OF FIELD OPERATIONS STAFFING.—Subparagraph (A) of section 411(g)(5) of the Homeland Security Act of 2002 (6 U.S.C. 211(g)(5)) is amended by inserting before the period at the end the following: “compared to the number indicated by the current fiscal year work flow staffing model”.

(c) IMPLEMENTATION PLAN.—Subparagraph (B) of section 814(e)(1) of the Preclearance Authorization Act of 2015 (19 U.S.C. 4433(e)(1); enacted as subtitle B of title VIII of the Trade Facilitation and Trade Enforcement Act of 2015; 19 U.S.C. 4301 et seq.) is amended to read as follows:

“(B) a port of entry vacancy rate which compares the number of officers identified in subparagraph (A) with the number of officers at the port at which such officer is currently assigned.”.

SEC. 125. AGENT AND OFFICER TECHNOLOGY USE.

In carrying out section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (as amended by section 111 of this Act) and section 113 of this Act, the Secretary shall, to the greatest extent practicable, ensure that technology deployed to gain situational awareness and operational control of the border be provided to front-line officers and agents of the Department of Homeland Security.

SEC. 126. INTEGRATED BORDER ENFORCEMENT TEAMS.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), as amended by section 116 of this Act, is further amended by adding at the end the following new section:

“SEC. 435. INTEGRATED BORDER ENFORCEMENT TEAMS.

“(a) ESTABLISHMENT.—The Secretary shall establish within the Department a program to be known as the Integrated Border Enforcement Team program (referred to in this section as ‘IBET’).

“(b) PURPOSE.—The Secretary shall administer the IBET program in a manner that results in a cooperative approach between the United States and Canada to—

“(1) strengthen security between designated ports of entry;

“(2) detect, prevent, investigate, and respond to terrorism and violations of law related to border security;

“(3) facilitate collaboration among components and offices within the Department and international partners;

“(4) execute coordinated activities in furtherance of border security and homeland security; and

“(5) enhance information-sharing, including the dissemination of homeland security information among such components and offices.

“(c) COMPOSITION AND LOCATION OF IBETS.—

“(1) COMPOSITION.—IBETs shall be led by the United States Border Patrol and may be comprised of personnel from the following:

“(A) Other subcomponents of U.S. Customs and Border Protection.

“(B) U.S. Immigration and Customs Enforcement, led by Homeland Security Investigations.

“(C) The Coast Guard, for the purpose of securing the maritime borders of the United States.

“(D) Other Department personnel, as appropriate.

“(E) Other Federal departments and agencies, as appropriate.

“(F) Appropriate State law enforcement agencies.

“(G) Foreign law enforcement partners.

“(H) Local law enforcement agencies from affected border cities and communities.

“(I) Appropriate tribal law enforcement agencies.

“(2) LOCATION.—The Secretary is authorized to establish IBETs in regions in which such teams can contribute to IBET missions, as appropriate. When establishing an IBET, the Secretary shall consider the following:

“(A) Whether the region in which the IBET would be established is significantly impacted by cross-border threats.

“(B) The availability of Federal, State, local, tribal, and foreign law enforcement resources to participate in an IBET.

“(C) Whether, in accordance with paragraph (3), other joint cross-border initiatives already take place within the region in which the IBET would be established, including other Department cross-border programs such as the Integrated Cross-Border Maritime Law Enforcement Operation Program established under section 711 of the Coast Guard and Maritime Transportation Act of 2012 (46 U.S.C. 70101 note) or the Border Enforcement Security Task Force established under section 432.

“(3) DUPLICATION OF EFFORTS.—In determining whether to establish a new IBET or to expand an existing IBET in a given region, the Secretary shall ensure that the IBET under consideration does not duplicate the efforts of other existing interagency task forces or centers within such region, including the Integrated Cross-Border Maritime Law Enforcement Operation Program established under section 711 of the Coast Guard and Maritime Transportation Act of 2012 (46 U.S.C. 70101 note) or the Border Enforcement Security Task Force established under section 432.

“(d) OPERATION.—

“(1) IN GENERAL.—After determining the regions in which to establish IBETs, the Secretary may—

“(A) direct the assignment of Federal personnel to such IBETs; and

“(B) take other actions to assist Federal, State, local, and tribal entities to participate in such IBETs, including providing financial assistance, as appropriate, for operational, administrative, and technological costs associated with such participation.

“(2) LIMITATION.—Coast Guard personnel assigned under paragraph (1) may be assigned only for the purposes of securing the maritime borders of the United States, in accordance with subsection (c)(1)(C).

“(e) COORDINATION.—The Secretary shall coordinate the IBET program with other similar border security and antiterrorism programs within the Department in

accordance with the strategic objectives of the Cross-Border Law Enforcement Advisory Committee.

“(f) MEMORANDA OF UNDERSTANDING.—The Secretary may enter into memoranda of understanding with appropriate representatives of the entities specified in subsection (c)(1) necessary to carry out the IBET program.

“(g) REPORT.—Not later than 180 days after the date on which an IBET is established and biannually thereafter for the following six years, the Secretary shall submit to the appropriate congressional committees, including the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate, and in the case of Coast Guard personnel used to secure the maritime borders of the United States, additionally to the Committee on Transportation and Infrastructure of the House of Representatives, a report that—

“(1) describes the effectiveness of IBETs in fulfilling the purposes specified in subsection (b);

“(2) assess the impact of certain challenges on the sustainment of cross-border IBET operations, including challenges faced by international partners;

“(3) addresses ways to support joint training for IBET stakeholder agencies and radio interoperability to allow for secure cross-border radio communications; and

“(4) assesses how IBETs, Border Enforcement Security Task Forces, and the Integrated Cross-Border Maritime Law Enforcement Operation Program can better align operations, including interdiction and investigation activities.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by adding after the item relating to section 434 the following new item:

“Sec. 435. Integrated Border Enforcement Teams.”.

SEC. 127. TUNNEL TASK FORCES.

The Secretary is authorized to establish Tunnel Task Forces for the purposes of detecting and remediating tunnels that breach the international borders of the United States.

subtitle B—Personnel

SEC. 131. ADDITIONAL U.S. CUSTOMS AND BORDER PROTECTION AGENTS AND OFFICERS.

(a) **BORDER PATROL AGENTS.**—Not later than September 30, 2021, the Commissioner of U.S. Customs and Border Protection shall hire, train, and assign sufficient agents to maintain an active duty presence of not fewer than 26,370 full-time equivalent agents.

(b) **CBP OFFICERS.**—In addition to positions authorized before the date of the enactment of this Act and any existing officer vacancies within U.S. Customs and Border Protection as of such date, the Commissioner shall hire, train, and assign to duty, not later than September 30, 2021—

(1) sufficient U.S. Customs and Border Protection officers to maintain an active duty presence of not fewer than 27,725 full-time equivalent officers; and

(2) 350 full-time support staff distributed among all United States ports of entry.

(c) **AIR AND MARINE OPERATIONS.**—Not later than September 30, 2021, the Commissioner of U.S. Customs and Border Protection shall hire, train, and assign sufficient agents for Air and Marine Operations of U.S. Customs and Border Protection to maintain not fewer than 1,675 full-time equivalent agents and not fewer than 264 Marine and Air Interdiction Agents for southern border air and maritime operations.

(d) **U.S. CUSTOMS AND BORDER PROTECTION K–9 UNITS AND HANDLERS.**—

(1) K-9 UNITS.—Not later than September 30, 2021, the Commissioner shall deploy not fewer than 300 new K-9 units, with supporting officers of U.S. Customs and Border Protection and other required staff, at land ports of entry and checkpoints, on the southern border and the northern border.

(2) USE OF CANINES.—The Commissioner shall prioritize the use of canines at the primary inspection lanes at land ports of entry and checkpoints.

(e) U.S. CUSTOMS AND BORDER PROTECTION HORSEBACK UNITS.—

(1) INCREASE.—Not later than September 30, 2021, the Commissioner shall increase the number of horseback units, with supporting officers of U.S. Customs and Border Protection and other required staff, by not fewer than 100 officers and 50 horses for security patrol along the Southern border.

(2) FUNDING LIMITATION.—Of the amounts authorized to be appropriated for U.S. Customs and Border Protection under this Act, not more than one percent may be used for the purchase of additional horses, the construction of new stables, maintenance and improvements of existing stables, and for feed, medicine, and other resources needed to maintain the health and well-being of the horses that serve in the horseback units.

(f) U.S. CUSTOMS AND BORDER PROTECTION SEARCH TRAUMA AND RESCUE TEAMS.—Not later than September 30, 2021, the Commissioner shall increase by not fewer than 50 the number of officers engaged in search and rescue activities along the southern border.

(g) U.S. CUSTOMS AND BORDER PROTECTION TUNNEL DETECTION AND TECHNOLOGY PROGRAM.—Not later than September 30, 2021, the Commissioner shall increase by not fewer than 50 the number of officers assisting task forces and activities related to deployment and operation of border tunnel detection technology and apprehensions of individuals using such tunnels for crossing into the United States, drug trafficking, or human smuggling.

(h) AGRICULTURAL SPECIALISTS.—Not later than September 30, 2021, the Secretary shall hire, train, and assign to duty, in addition to the officers and agents

authorized under subsections (a) through (g), 631 U.S. Customs and Border Protection agricultural specialists to ports of entry along the southern border and the northern border.

(i) OFFICE OF PROFESSIONAL RESPONSIBILITY.—Not later than September 30, 2021, the Commissioner shall hire, train, and assign sufficient Office of Professional Responsibility special agents to maintain an active duty presence of not fewer than 550 full-time equivalent special agents.

(j) GAO REPORT.—If the staffing levels required under this section are not achieved by September 30, 2021, the Comptroller General of the United States shall conduct a review of the reasons why such levels were not achieved.

SEC. 132. U.S. CUSTOMS AND BORDER PROTECTION RETENTION INCENTIVES.

(a) DEFINITIONS.—In this section:

(1) COVERED AREA.—The term “covered area” means a geographic area that the Secretary determines is in a remote location or is an area for which it is difficult to find full-time permanent covered CBP employees, as compared to other ports of entry or Border Patrol sectors.

(2) COVERED CBP EMPLOYEE.—The term “covered CBP employee” means an employee of U.S. Customs and Border Protection performing activities that are critical to border security or customs enforcement, as determined by the Commissioner.

(3) RATE OF BASIC PAY.—The term “rate of basic pay”—

(A) means the rate of pay fixed by law or administrative action for the position to which an employee is appointed before deductions and including any special rate under subpart C of part 530 of title 5, Code of Federal Regulations, or similar payment under other legal authority, and any locality-based comparability payment under subpart F of part 531 of title 5, Code of Federal Regulations, or similar payment under other legal authority, but excluding additional pay of any other kind; and

(B) does not include additional pay, such as night shift differentials under section 5343(f) of title 5, United States Code, or environmental differentials under section 5343(c)(4) of such title.

(4) SPECIAL RATE OF PAY.—The term “special rate of pay” means a higher than normal rate of pay that exceeds the otherwise applicable rate of basic pay for a similar covered CBP employee at a land port of entry.

(b) HIRING INCENTIVES.—

(1) IN GENERAL.—To the extent necessary for U.S. Customs and Border Protection to hire, train, and deploy qualified officers and employees, and to the extent necessary to meet the requirements set forth in section 131, the Commissioner, with the approval of the Secretary, may pay a hiring bonus of \$10,000 to a covered CBP employee, after the covered CBP completes initial basic training and executes a written agreement required under paragraph (2).

(2) WRITTEN AGREEMENT.—The payment of a hiring bonus to a covered CBP employee under paragraph (1) is contingent upon the covered CBP employee entering into a written agreement with U.S. Customs and Border Protection to complete more than two years of employment with U.S. Customs and Border Protection beginning on the date on which the agreement is signed. Such agreement shall include—

(A) the amount of the hiring bonus;

(B) the conditions under which the agreement may be terminated before the required period of service is completed and the effect of such termination;

(C) the length of the required service period; and

(D) any other terms and conditions under which the hiring bonus is payable, subject to the requirements under this section.

(3) FORM OF PAYMENT.—A signing bonus paid to a covered CBP employee under paragraph (1) shall be paid in a single payment after

the covered CBP employee completes initial basic training and enters on duty and executed the agreement under paragraph (2).

(4) EXCLUSION OF SIGNING BONUS FROM RATE OF PAY.—A signing bonus paid to a covered CBP employee under paragraph (1) shall not be considered part of the rate of basic pay of the covered CBP employee for any purpose.

(5) EFFECTIVE DATE AND SUNSET.—This subsection shall take effect on the date of the enactment of this Act and shall remain in effect until the earlier of—

(A) September 30, 2019; or

(B) the date on which U.S. Customs and Border Protection has 26,370 full-time equivalent agents.

(c) RETENTION INCENTIVES.—

(1) IN GENERAL.—To the extent necessary for U.S. Customs and Border Protection to retain qualified employees, and to the extent necessary to meet the requirements set forth in section 131, the Commissioner, with the approval of the Secretary, may pay a retention incentive to a covered CBP employee who has been employed with U.S. Customs and Border Protection for a period of longer than two consecutive years, and the Commissioner determines that, in the absence of the retention incentive, the covered CBP employee would likely—

(A) leave the Federal service; or

(B) transfer to, or be hired into, a different position within the Department (other than another position in CBP).

(2) WRITTEN AGREEMENT.—The payment of a retention incentive to a covered CBP employee under paragraph (1) is contingent upon the covered CBP employee entering into a written agreement with U.S. Customs and Border Protection to complete more than two years of employment with U.S. Customs and Border Protection beginning on

the date on which the CBP employee enters on duty and the agreement is signed. Such agreement shall include—

(A) the amount of the retention incentive;

(B) the conditions under which the agreement may be terminated before the required period of service is completed and the effect of such termination;

(C) the length of the required service period; and

(D) any other terms and conditions under which the retention incentive is payable, subject to the requirements under this section.

(3) CRITERIA.—When determining the amount of a retention incentive paid to a covered CBP employee under paragraph (1), the Commissioner shall consider—

(A) the length of the Federal service and experience of the covered CBP employee;

(B) the salaries for law enforcement officers in other Federal agencies; and

(C) the costs of replacing the covered CBP employee, including the costs of training a new employee.

(4) AMOUNT OF RETENTION INCENTIVE.—A retention incentive paid to a covered CBP employee under paragraph (1)—

(A) shall be approved by the Secretary and the Commissioner;

(B) shall be stated as a percentage of the employee's rate of basic pay for the service period associated with the incentive; and

(C) may not exceed \$25,000 for each year of the written agreement.

(5) FORM OF PAYMENT.—A retention incentive paid to a covered CBP employee under paragraph (1) shall be paid as a single payment at the end of the fiscal year in which the covered CBP employee entered

into an agreement under paragraph (2), or in equal installments during the life of the service agreement, as determined by the Commissioner.

(6) EXCLUSION OF RETENTION INCENTIVE FROM RATE OF PAY.—A retention incentive paid to a covered CBP employee under paragraph (1) shall not be considered part of the rate of basic pay of the covered CBP employee for any purpose.

(d) PILOT PROGRAM ON SPECIAL RATES OF PAY IN COVERED AREAS.—

(1) IN GENERAL.—The Commissioner may establish a pilot program to assess the feasibility and advisability of using special rates of pay for covered CBP employees in covered areas, as designated on the date of the enactment of this Act, to help meet the requirements set forth in section 131.

(2) MAXIMUM AMOUNT.—The rate of basic pay of a covered CBP employee paid a special rate of pay under the pilot program may not exceed 125 percent of the otherwise applicable rate of basic pay of the covered CBP employee.

(3) TERMINATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the pilot program shall terminate on the date that is two years after the date of the enactment of this Act.

(B) EXTENSION.—If the Secretary determines that the pilot program is performing satisfactorily and there are metrics that prove its success in meeting the requirements set forth in section 131, the Secretary may extend the pilot program until the date that is four years after the date of the enactment of this Act.

(4) REPORT TO CONGRESS.—Shortly after the pilot program terminates under paragraph (3), the Commissioner shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that details—

(A) the total amount paid to covered CBP employees under the pilot program; and

(B) the covered areas in which the pilot program was implemented.

(e) SALARIES.—

(1) IN GENERAL.—Section 101(b) of the Enhanced Border Security and Visa Entry Reform Act of 2002 (8 U.S.C. 1711(b)) is amended to read as follows:

“(b) AUTHORIZATION OF APPROPRIATIONS FOR CBP EMPLOYEES.—There are authorized to be appropriated to U.S. Customs and Border Protection such sums as may be necessary to increase, effective January 1, 2018, the annual rate of basic pay for U.S. Customs and Border Protection employees who have completed at least one year of service—

“(1) to the annual rate of basic pay payable for positions at GS–12, step 1 of the General Schedule under subchapter III of chapter 53 of title 5, United States Code, for officers and agents who are receiving the annual rate of basic pay payable for a position at GS–5, GS–6, GS–7, GS–8, or GS–9 of the General Schedule;

“(2) to the annual rate of basic pay payable for positions at GS–12, step 10 of the General Schedule under such subchapter for supervisory CBP officers and supervisory agents who are receiving the annual rate of pay payable for a position at GS–10 of the General Schedule;

“(3) to the annual rate of basic pay payable for positions at GS–14, step 1 of the General Schedule under such subchapter for supervisory CBP officers and supervisory agents who are receiving the annual rate of pay payable for a position at GS–11 of the General Schedule;

“(4) to the annual rate of basic pay payable for positions at GS–12, step 10 of the General Schedule under such subchapter for supervisory CBP officers and supervisory Border Patrol agents who are receiving the annual rate of pay payable for a position at GS–12 or GS–13 of the General Schedule; and

“(5) to the annual rate of basic pay payable for positions at GS–8, GS–9, or GS–10 of the General Schedule for assistants who are receiving an annual rate of pay payable for positions at GS–5, GS–6, or GS–7 of the General Schedule, respectively.”.

(2) **HARDSHIP DUTY PAY.**—In addition to compensation to which Border Patrol agents are otherwise entitled, Border Patrol agents who are assigned to rural areas shall be entitled to receive hardship duty pay, in lieu of a retention incentive under subsection (b), in an amount determined by the Commissioner, which may not exceed the rate of special pay to which members of a uniformed service are entitled under section 310 of title 37, United States Code.

(3) **OVERTIME LIMITATION.**—Section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 267(c)(1)) is amended by striking “\$25,000” and inserting “\$45,000”.

SEC. 133. ANTI-BORDER CORRUPTION REAUTHORIZATION ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Anti-Border Corruption Reauthorization Act of 2017”.

(b) **HIRING FLEXIBILITY.**—Section 3 of the Anti-Border Corruption Act of 2010 (6 U.S.C. 221) is amended by striking subsection (b) and inserting the following new subsections:

“(b) **WAIVER AUTHORITY.**—The Commissioner of U.S. Customs and Border Protection may waive the application of subsection (a)(1)—

“(1) to a current, full-time law enforcement officer employed by a State or local law enforcement agency who—

“(A) has continuously served as a law enforcement officer for not fewer than three years;

“(B) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers for arrest or apprehension;

“(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

“(D) has, within the past ten years, successfully completed a polygraph examination as a condition of employment with such officer’s current law enforcement agency;

“(2) to a current, full-time Federal law enforcement officer who—

“(A) has continuously served as a law enforcement officer for not fewer than three years;

“(B) is authorized to make arrests, conduct investigations, conduct searches, make seizures, carry firearms, and serve orders, warrants, and other processes;

“(C) is not currently under investigation, has not been found to have engaged in criminal activity or serious misconduct, has not resigned from a law enforcement officer position under investigation or in lieu of termination, and has not been dismissed from a law enforcement officer position; and

“(D) holds a current Tier 4 background investigation or current Tier 5 background investigation; and

“(3) to a member of the Armed Forces (or a reserve component thereof) or a veteran, if such individual—

“(A) has served in the Armed Forces for not fewer than three years;

“(B) holds, or has held within the past five years, a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance;

“(C) holds, or has undergone within the past five years, a current Tier 4 background investigation or current Tier 5 background investigation;

“(D) received, or is eligible to receive, an honorable discharge from service in the Armed Forces and has not engaged in criminal activity or committed a serious military or civil offense under the Uniform Code of Military Justice; and

“(E) was not granted any waivers to obtain the clearance referred to subparagraph (B).

“(c) TERMINATION OF WAIVER AUTHORITY.—The authority to issue a waiver under subsection (b) shall terminate on the date that is four years after the date of the enactment of the Border Security for America Act of 2017.”.

(c) SUPPLEMENTAL COMMISSIONER AUTHORITY AND DEFINITIONS.—

(1) SUPPLEMENTAL COMMISSIONER AUTHORITY.—Section 4 of the Anti-Border Corruption Act of 2010 is amended to read as follows:

“SEC. 4. SUPPLEMENTAL COMMISSIONER AUTHORITY.

“(a) NON-EXEMPTION.—An individual who receives a waiver under section 3(b) is not exempt from other hiring requirements relating to suitability for employment and eligibility to hold a national security designated position, as determined by the Commissioner of U.S. Customs and Border Protection.

“(b) BACKGROUND INVESTIGATIONS.—Any individual who receives a waiver under section 3(b) who holds a current Tier 4 background investigation shall be subject to a Tier 5 background investigation.

“(c) ADMINISTRATION OF POLYGRAPH EXAMINATION.—The Commissioner of U.S. Customs and Border Protection is authorized to administer a polygraph examination to an applicant or employee who is eligible for or receives a waiver under section 3(b) if information is discovered before the completion of a background investigation that results in a determination that a polygraph examination is necessary to make a final determination regarding suitability for employment or continued employment, as the case may be.”.

(2) REPORT.—The Anti-Border Corruption Act of 2010, as amended by paragraph (1), is further amended by adding at the end the following new section:

“SEC. 5. REPORTING.

“(a) ANNUAL REPORT.—Not later than one year after the date of the enactment of this section and annually thereafter while the waiver authority under section 3(b) is in effect, the Commissioner of U.S. Customs and Border Protection shall submit to Congress a report that includes, with respect to each such reporting period—

“(1) the number of waivers requested, granted, and denied under section 3(b);

“(2) the reasons for any denials of such waiver;

“(3) the percentage of applicants who were hired after receiving a waiver;

“(4) the number of instances that a polygraph was administered to an applicant who initially received a waiver and the results of such polygraph;

“(5) an assessment of the current impact of the polygraph waiver program on filling law enforcement positions at U.S. Customs and Border Protection; and

“(6) additional authorities needed by U.S. Customs and Border Protection to better utilize the polygraph waiver program for its intended goals.

“(b) ADDITIONAL INFORMATION.—The first report submitted under subsection (a) shall include—

“(1) an analysis of other methods of employment suitability tests that detect deception and could be used in conjunction with traditional background investigations to evaluate potential employees for suitability; and

“(2) a recommendation regarding whether a test referred to in paragraph (1) should be adopted by U.S. Customs and Border Protection when the polygraph examination requirement is waived pursuant to section 3(b).”.

(3) DEFINITIONS.—The Anti-Border Corruption Act of 2010, as amended by paragraphs (1) and (2), is further amended by adding at the end the following new section:

“SEC. 6. DEFINITIONS.

“In this Act:

“(1) FEDERAL LAW ENFORCEMENT OFFICER.—The term ‘Federal law enforcement officer’ means a ‘law enforcement officer’ defined in section 8331(20) or 8401(17) of title 5, United States Code.

“(2) SERIOUS MILITARY OR CIVIL OFFENSE.—The term ‘serious military or civil offense’ means an offense for which—

“(A) a member of the Armed Forces may be discharged or separated from service in the Armed Forces; and

“(B) a punitive discharge is, or would be, authorized for the same or a closely related offense under the Manual for Court-Martial, as pursuant to Army Regulation 635-200 chapter 14–12.

“(3) TIER 4; TIER 5.—The terms ‘Tier 4’ and ‘Tier 5’ with respect to background investigations have the meaning given such terms under the 2012 Federal Investigative Standards.

“(4) VETERAN.—The term ‘veteran’ has the meaning given such term in section 101(2) of title 38, United States Code.”.

(d) POLYGRAPH EXAMINERS.—Not later than September 30, 2021, the Secretary shall increase to not fewer than 150 the number of trained full-time equivalent polygraph examiners for administering polygraphs under the Anti-Border Corruption Act of 2010, as amended by this subtitle.

SEC. 134. TRAINING FOR OFFICERS AND AGENTS OF U.S. CUSTOMS AND BORDER PROTECTION.

(a) IN GENERAL.—Subsection (l) of section 411 of the Homeland Security Act of 2002 (6 U.S.C. 211) is amended to read as follows:

“(1) TRAINING AND CONTINUING EDUCATION.—

“(1) MANDATORY TRAINING AND CONTINUING EDUCATION.—The Commissioner shall ensure that every agent and officer of U.S. Customs and Border Protection receives a minimum of 21 weeks of training that are directly related to the mission of the U.S. Border Patrol, Air and Marine, and the Office of Field Operations before the initial assignment of such agents and officers.

“(2) FLETC.—The Commissioner shall work in consultation with the Director of the Federal Law Enforcement Training Centers to establish guidelines and curriculum for the training of agents and officers of U.S. Customs and Border Protection under subsection (a).

“(3) CONTINUING EDUCATION.—The Commissioner shall annually require all agents and officers of U.S. Customs and Border Protection who are required to undergo training under subsection (a) to participate in not fewer than eight hours of continuing education annually to maintain and update understanding of Federal legal rulings, court decisions, and Department policies, procedures, and guidelines related to relevant subject matters.

“(4) LEADERSHIP TRAINING.—Not later than one year after the date of the enactment of this subsection, the Commissioner shall develop and require training courses geared towards the development of leadership skills for mid- and senior-level career employees not later than one year after such employees assume duties in supervisory roles.”.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Commissioner shall submit to the Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a report identifying the guidelines and curriculum established to carry out subsection (1) of section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

(c) ASSESSMENT.—Not later than four years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security of the House of Representatives and the

Committee on Homeland Security and Governmental Affairs of the Senate a report that assesses the training and education, including continuing education, required under subsection (l) of section 411 of the Homeland Security Act of 2002, as amended by subsection (a) of this section.

subtitle C—Grants

SEC. 141. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

“SEC. 2009. OPERATION STONEGARDEN.

“(a) ESTABLISHMENT.—There is established in the Department a program to be known as ‘Operation Stonegarden’, under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through the State administrative agency, to enhance border security in accordance with this section.

“(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency—

“(1) shall be located in—

“(A) a State bordering Canada or Mexico; or

“(B) a State or territory with a maritime border; and

“(2) shall be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a U.S. Border Patrol sector office.

“(c) PERMITTED USES.—The recipient of a grant under this section may use such grant for—

“(1) equipment, including maintenance and sustainment costs;

“(2) personnel, including overtime and backfill, in support of enhanced border law enforcement activities;

“(3) any activity permitted for Operation Stonegarden under the Department of Homeland Security’s Fiscal Year 2017 Homeland Security Grant Program Notice of Funding Opportunity; and

“(4) any other appropriate activity, as determined by the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection.

“(d) PERIOD OF PERFORMANCE.—The Secretary shall award grants under this section to grant recipients for a period of not less than 36 months.

“(e) REPORT.—For each of the fiscal years 2018 through 2022, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that contains information on the expenditure of grants made under this section by each grant recipient.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$110,000,000 for each of the fiscal years 2018 through 2022 for grants under this section.”.

(b) CONFORMING AMENDMENT.—Subsection (a) of section 2002 of the Homeland Security Act of 2002 (6 U.S.C. 603) is amended to read as follows:

“(a) GRANTS AUTHORIZED.—The Secretary, through the Administrator, may award grants under sections 2003, 2004, and 2009 to State, local, and tribal governments, as appropriate.”.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 2008 the following:

“Sec. 2009. Operation Stonegarden.”.

subtitle D—Authorization of Appropriations

SEC. 151. AUTHORIZATION OF APPROPRIATIONS.

In addition to amounts otherwise authorized to be appropriated, there are authorized to be appropriated for each of the fiscal years 2018 through 2021, \$2,500,000,000 to implement this title and the amendments made by this title, of which—

(1) \$10,000,000 shall be used by the Department of Homeland Security to implement Vehicle and Dismount Exploitation Radars (VADER) in border security operations;

(2) \$200,000,000 shall be used by the Department of State to implement section 119; and

(3) \$200,000,000 shall be used by the United States Coast Guard to implement paragraph (18) of section 113(a).

TITLE II—EMERGENCY PORT OF ENTRY PERSONNEL AND INFRASTRUCTURE FUNDING

SEC. 201. PORTS OF ENTRY INFRASTRUCTURE.

(a) ADDITIONAL PORTS OF ENTRY.—

(1) AUTHORITY.—The Secretary may construct new ports of entry along the northern border and southern border and determine the location of any such new ports of entry.

(2) CONSULTATION.—

(A) REQUIREMENT TO CONSULT.—The Secretary shall consult with the Secretary of State, the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Transportation, the Administrator of General Services, and appropriate representatives of State and local governments, and Indian tribes, and property owners in the United States prior to selecting a location for any new port constructed pursuant to paragraph (1).

(B) CONSIDERATIONS.—The purpose of the consultations required by subparagraph (A) shall be to minimize any negative impacts of such a new port on the environment, culture, commerce, and quality of life of the communities and residents located near such new port.

(b) EXPANSION AND MODERNIZATION OF HIGH-VOLUME SOUTHERN BORDER PORTS OF ENTRY.—Not later than September 30, 2021, the Secretary shall expand or modernize the primary and secondary inspection lanes for vehicle, cargo, and pedestrian inbound and outbound inspection lanes at ports of entry on the southern border, as determined by the Secretary, for the purposes of reducing wait times and enhancing security, as determined by the Secretary.

(c) PORT OF ENTRY PRIORITIZATION.—Prior to constructing any new ports of entry pursuant to subsection (a), the Secretary shall complete the expansion and modernization of ports of entry pursuant to subsection (b) to the extent practicable.

(d) NOTIFICATIONS.—

(1) RELATING TO NEW PORTS OF ENTRY.—Not later than 15 days after determining the location of any new port of entry for construction pursuant to subsection (a), the Secretary shall notify the Members of Congress who represent the State or congressional district in which such new port of entry will be located, as well as the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives. Such notification shall include information relating to the location of such new port of entry, a description of the need for such new port of entry and associated anticipated benefits, a description of the consultations undertaken by the Secretary pursuant to paragraph (2) of such subsection, any actions that will be taken to minimize negative impacts of such new port of entry, and the anticipated time-line for construction and completion of such new port of entry.

(2) RELATING TO HIGH VOLUME.—Not later than 180 days after enactment of this Act, the Secretary shall notify the Committee on Homeland Security and Governmental Affairs, the Committee on Finance, and the Committee on the Judiciary of the Senate, and the

Committee on Homeland Security, the Committee on Ways and Means, and the Committee on the Judiciary of the House of Representatives of the top ten high-volume ports of entry on the southern border pursuant to subsection (b) and the Secretary's plan for expanding or modernizing the primary and secondary inspection lanes at each such port of entry.

SEC. 202. SECURE COMMUNICATIONS.

(a) IN GENERAL.—The Secretary shall ensure that each U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement officer or agent, if appropriate, is equipped with a secure two-way communication device, supported by system interoperability, that allows each such officer to communicate—

(1) between ports of entry and inspection stations; and

(2) with other Federal, State, tribal, and local law enforcement entities.

(b) LAND BORDER AGENTS AND OFFICERS.—The Secretary shall ensure that each U.S. Customs and Border Protection agent or officer assigned or required to patrol on foot, by horseback, or with a canine unit, in remote mission critical locations, and at border checkpoints, has a multi- or dual-band encrypted portable radio.

SEC. 203. BORDER SECURITY DEPLOYMENT PROGRAM.

(a) EXPANSION.—Not later than September 30, 2021, the Secretary shall fully implement the Border Security Deployment Program of the U.S. Customs and Border Protection and expand the integrated surveillance and intrusion detection system at land ports of entry along the southern border and the northern border.

(b) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated \$33,000,000 for fiscal year 2018 to carry out subsection (a).

SEC. 204. PILOT AND UPGRADE OF LICENSE PLATE READERS AT PORTS OF ENTRY.

(a) UPGRADE.—Not later than one year after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall upgrade all existing license plate readers on the northern and southern borders on incoming and outgoing vehicle lanes.

(b) PILOT PROGRAM.—Not later than 90 days after the date of the enactment of this Act, the Commissioner of U.S. Customs and Border Protection shall conduct a one-month pilot program on the southern border using license plate readers for one to two cargo lanes at the top three high-volume land ports of entry or checkpoints to determine their effectiveness in reducing cross-border wait times for commercial traffic and tractor-trailers.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall report to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Finance of the Senate, and the Committee on Homeland Security, and Committee on the Judiciary, and the Committee on Ways and Means of the House of Representatives the results of the pilot program under subsection (b) and make recommendations for implementing use of such technology on the southern border.

(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated \$125,000,000 for fiscal year 2018 to carry out subsection (a).

SEC. 205. NON-INTRUSIVE INSPECTION OPERATIONAL DEMONSTRATION.

(a) IN GENERAL.—Not later than six months after the date of the enactment of this Act, the Commissioner shall establish a six-month operational demonstration to deploy a high-throughput non-intrusive passenger vehicle inspection system at not fewer than three land ports of entry along the United States-Mexico border with significant cross-border traffic. Such demonstration shall be located within the pre-primary traffic flow and should be scalable to span up to 26 contiguous inbound traffic lanes without re-configuration of existing lanes.

(b) REPORT.—Not later than 90 days after the conclusion of the operational demonstration under subsection (a), the Commissioner shall submit to the

Committee on Homeland Security and the Committee on Ways and Means of the House of Representatives and the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate a report that describes the following:

- (1) The effects of such demonstration on legitimate travel and trade.
- (2) The effects of such demonstration on wait times, including processing times, for non-pedestrian traffic.
- (3) The effectiveness of such demonstration in combating terrorism and smuggling.

SEC. 206. BIOMETRIC EXIT DATA SYSTEM.

(a) IN GENERAL.—Subtitle B of title IV of the Homeland Security Act of 2002 (6 U.S.C. 211 et seq.) is amended by inserting after section 417 the following new section:

“SEC. 418. BIOMETRIC ENTRY-EXIT.

“(a) ESTABLISHMENT.—The Secretary shall—

“(1) not later than 180 days after the date of the enactment of this section, submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives an implementation plan to establish a biometric exit data system to complete the integrated biometric entry and exit data system required under section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), including—

“(A) an integrated master schedule and cost estimate, including requirements and design, development, operational, and maintenance costs of such a system, that takes into account prior reports on such matters issued by the Government Accountability Office and the Department;

“(B) cost-effective staffing and personnel requirements of such a system that leverages existing resources of the Department that takes into account prior reports on such matters issued by the Government Accountability Office and the Department;

“(C) a consideration of training programs necessary to establish such a system that takes into account prior reports on such matters issued by the Government Accountability Office and the Department;

“(D) a consideration of how such a system will affect arrival and departure wait times that takes into account prior reports on such matter issued by the Government Accountability Office and the Department;

“(E) information received after consultation with private sector stakeholders, including the—

“(i) trucking industry;

“(ii) airport industry;

“(iii) airline industry;

“(iv) seaport industry;

“(v) travel industry; and

“(vi) biometric technology industry;

“(F) a consideration of how trusted traveler programs in existence as of the date of the enactment of this Act may be impacted by, or incorporated into, such a system;

“(G) defined metrics of success and milestones;

“(H) identified risks and mitigation strategies to address such risks; and

“(I) a consideration of how other countries have implemented a biometric exit data system; and

“(2) not later than two years after the date of the enactment of this section, establish a biometric exit data system at the—

“(A) 15 United States airports that support the highest volume of international air travel, as determined by available Federal flight data;

“(B) 10 United States seaports that support the highest volume of international sea travel, as determined by available Federal travel data; and

“(C) 15 United States land ports of entry that support the highest volume of vehicle, pedestrian, and cargo crossings, as determined by available Federal border crossing data.

“(b) IMPLEMENTATION.—

“(1) PILOT PROGRAM AT LAND PORTS OF ENTRY FOR NON-PEDESTRIAN OUTBOUND TRAFFIC.—Not later than six months after the date of the enactment of this section, the Secretary, in collaboration with industry stakeholders, shall establish a six-month pilot program to test the biometric exit data system referred to in subsection (a)(2) on non-pedestrian outbound traffic at not fewer than three land ports of entry with significant cross-border traffic, including at not fewer than two land ports of entry on the southern land border and at least one land port of entry on the northern land border. Such pilot program may include a consideration of more than one biometric mode, and shall be implemented to determine the following:

“(A) How a nationwide implementation of such biometric exit data system at land ports of entry shall be carried out.

“(B) The infrastructure required to carry out subparagraph (A).

“(C) The effects of such pilot program on legitimate travel and trade.

“(D) The effects of such pilot program on wait times, including processing times, for such non-pedestrian traffic.

“(E) The effects of such pilot program on combating terrorism.

“(F) The effects of such pilot program on identifying visa holders who violate the terms of their visas.

“(2) AT LAND PORTS OF ENTRY FOR NON-PEDESTRIAN OUTBOUND TRAFFIC.—

“(A) IN GENERAL.—Not later than five years after the date of the enactment of this section, the Secretary shall expand the biometric exit data system referred to in subsection (a)(2) to all land ports of entry, and such system shall apply only in the case of non-pedestrian outbound traffic.

“(B) EXTENSION.—The Secretary may extend for a single two-year period the date specified in subparagraph (A) if the Secretary certifies to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives that the 15 land ports of entry that support the highest volume of passenger vehicles, as determined by available Federal data, do not have the physical infrastructure or characteristics to install the systems necessary to implement a biometric exit data system.

“(3) AT AIR AND SEA PORTS OF ENTRY.—Not later than five years after the date of the enactment of this section, the Secretary shall expand the biometric exit data system referred to in subsection (a)(2) to all air and sea ports of entry.

“(4) AT LAND PORTS OF ENTRY FOR PEDESTRIANS.—Not later than five years after the date of the enactment of this section, the Secretary shall expand the biometric exit data system referred to in subsection (a)(2) to all land ports of entry, and such system shall apply only in the case of pedestrians.

“(c) EFFECTS ON AIR, SEA, AND LAND TRANSPORTATION.—The Secretary, in consultation with appropriate private sector stakeholders, shall ensure that the collection of biometric data under this section causes the least possible disruption to the movement of people or cargo in air, sea, or land transportation, while fulfilling the goals of improving counterterrorism efforts and identifying visa holders who violate the terms of their visas.

“(d) TERMINATION OF PROCEEDING.—Notwithstanding any other provision of law, the Secretary shall, on the date of the enactment of this section, terminate the proceeding entitled ‘Collection of Alien Biometric Data Upon Exit From the United States at Air and Sea Ports of Departure; United States Visitor and Immigrant Status Indicator Technology Program (‘US-VISIT’)’, issued on April 24, 2008 (73 Fed. Reg. 22065).

“(e) DATA-MATCHING.—The biometric exit data system established under this section shall—

“(1) match biometric information for an individual who is departing the United States against biometric data previously provided to the United States Government by such individual for the purposes of international travel;

“(2) leverage the infrastructure and databases of the current biometric entry and exit system established pursuant to section 7208 of the Intelligence Reform and Terrorism Prevention Act of 2004 (8 U.S.C. 1365b) for the purpose described in paragraph (1); and

“(3) be interoperable with, and allow matching against, other Federal databases that—

“(A) store biometrics of known or suspected terrorists; and

“(B) identify visa holders who violate the terms of their visas.

“(f) SCOPE.—

“(1) IN GENERAL.—The biometric exit data system established under this section shall include a requirement for the collection of biometric exit data at the time of departure for all categories of individuals who are required by the Secretary to provide biometric entry data.

“(2) EXCEPTION FOR CERTAIN OTHER INDIVIDUALS.—This section shall not apply in the case of an individual who exits and then enters the United States on a passenger vessel (as such term is defined in section 2101 of title 46, United States Code) the itinerary of which originates and terminates in the United States.

“(3) EXCEPTION FOR LAND PORTS OF ENTRY.—This section shall not apply in the case of a United States or Canadian citizen who exits the United States through a land port of entry.

“(g) COLLECTION OF DATA.—The Secretary may not require any non-Federal person to collect biometric data, or contribute to the costs of collecting or administering the biometric exit data system established under this section, except through a mutual agreement.

“(h) MULTI-MODAL COLLECTION.—In carrying out subsections (a)(1) and (b), the Secretary shall make every effort to collect biometric data using multiple modes of biometrics.

“(i) FACILITIES.—All facilities at which the biometric exit data system established under this section is implemented shall provide and maintain space for Federal use that is adequate to support biometric data collection and other inspection-related activity. For non-federally owned facilities, such space shall be provided and maintained at no cost to the Government.

“(j) NORTHERN LAND BORDER.—In the case of the northern land border, the requirements under subsections (a)(2)(C), (b)(2)(A), and (b)(4) may be achieved through the sharing of biometric data provided to U.S. Customs and Border Protection by the Canadian Border Services Agency pursuant to the 2011 Beyond the Border agreement.

“(k) FAIR AND OPEN COMPETITION.—The Secretary shall procure goods and services to implement this section via fair and open competition in accordance with the Federal Acquisition Regulations.

“(l) OTHER BIOMETRIC INITIATIVES.—The Secretary may pursue biometric initiatives at air, land, and sea ports of entry for the purposes of border security and trade facilitation distinct from the biometric exit data system described in this section.

“(m) CONGRESSIONAL REVIEW.—Not later than 90 days after the date of the enactment of this section, the Secretary shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on the Judiciary of the Senate, the Committee on Homeland Security of the House of Representatives, and Committee on the Judiciary of the House of Representatives reports and recommendations regarding the Science and Technology Directorate’s

Air Entry and Exit Re-Engineering Program of the Department and the U.S. Customs and Border Protection entry and exit mobility program demonstrations.

“(n) SAVINGS CLAUSE.—Nothing in this section shall prohibit the collection of user fees permitted by section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c).”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 417 the following new item:

“Sec. 418. Biometric entry-exit.”.

SEC. 207. SENSE OF CONGRESS ON COOPERATION BETWEEN AGENCIES.

(a) FINDING.—Congress finds that personnel constraints exist at land ports of entry with regard to sanitary and phytosanitary inspections for exported goods.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, in the best interest of cross-border trade and the agricultural community—

(1) any lack of certified personnel for inspection purposes at ports of entry should be addressed by seeking cooperation between agencies and departments of the United States, whether in the form of a memorandum of understanding or through a certification process, whereby additional existing agents are authorized for additional hours to facilitate the crossing and trade of perishable goods in a manner consistent with rules of the Department of Agriculture; and

(2) cross designation should be available for personnel who will assist more than one agency or department at land ports of entry to facilitate increased trade and commerce.

SEC. 208. AUTHORIZATION OF APPROPRIATIONS.

In addition to any amounts otherwise authorized to be appropriated for such purpose, there is authorized to be appropriated \$1,250,000,000 for each of fiscal years 2018 through 2021 to carry out this title, of which—

(1) \$2,000,000 shall be used by the Secretary for hiring additional Uniform Management Center support personnel, purchasing uniforms for CBP officers and agents, acquiring additional motor vehicles to support vehicle mounted surveillance systems, hiring additional motor vehicle program support personnel, and for contract support for customer service, vendor management, and operations management; and

(2) \$250,000,000 per year shall be used to implement the biometric exit data system described in section 418 of the Homeland Security Act of 2002, as added by section 206 of this Act.

SEC. 209. DEFINITION.

In this title, the term “Secretary” means the Secretary of Homeland Security.

SHARE Act Amendments

- Bishop– Land Grant to PR – **adopted by ?**
- Grijalva 004 – Permanently reauthorize LWCF – **Rejected 15-20**
 - McClintock – opposed – acquiring more land doesn't help hunters if we're not properly maintaining them or closing them
 - Tsongas – supportive
 - Graves – opposed – Funds are derived from offshore oil and gas, the area where these lands are derived (LA) needs to receive most of these funds; losing wetlands
 - Huffman – supportive
- Gosar – Grand Canyon bison management (HR3005) – **adopted by voice vote**
 - Grijalva – opposed
- Lowenthal – remove state veto authority for fishing restrictions on federal lands – **Rejected 14-23**
 - Lamborn – opposed
 - Huffman – supportive
- Huffman – Adds Resource Protection Act (Thompson language) – **Moved to Table**
 - Discussed Malheur costs
 - Bishop – Not germane because brings in appropriations committee
 - Moved to table – adopted by voice vote
- Gomez – Removes authorization of certain motorized activities in wilderness areas – **Rejected xx-xx**
 - McClintock – opposed
 - Grijalva – support
- Beyer – Removes wolf language – **Rejected 13-22**
 - We need judicial review of federal decisions; Ecosystem role of wolves; Fear-based state policies; Undermines integrity of the ESA
 - Bergman – opposed – costs and time of litigation
- Grijalva – Require DOI to study impacts of border wall on hunting, fishing, outdoor recreation – **Rejected 12-22**
 - Bishop – opposed
- Tsongas – clarifies that nothing in bill prevents the Secretary of Interior from considering impacts of climate change in decisions – **rejected 13-21**
- Westerman – on behalf of Don Young – restores Alaska's ability to manage wildlife on national preserve lands (targeting predator rule on NPS lands)
 -

*Species Listed under the ESA occurring within 1 mile of the Arizona-Mexico border as of June 1

Species	Status
Gray Wolf, Mexican Subspecies	Endangered
Jaguar	Endangered
Lesser Longnosed Bat	Endangered
Mexican Longnosed Bat	Endangered
Ocelot	Endangered
Sonoran Pronghorn	Endangered and Experimental Population (area)
California Least Tern	Endangered
Masked Bobwhite	Endangered
Mexican Spotted Owl	Threatened
Northern Aplomado Falcon	Experimental Populations
Southwestern Willow Flycatcher	Endangered
Yellowbilled Cuckoo	Threatened
Yuma Clapper Rail	Endangered
Narrowheaded Gartersnake	Threatened
New Mexico Ridgenosed Rattlesnake	Threatened
Northern Mexican Gartersnake	Threatened
Sonoyta Mud Turtle	Proposed Endangered
Chiricahua Leopard Frog	Threatened
Sonora Tiger Salamander	Endangered
Beautiful Shiner	Threatened
Desert Pupfish	Endangered
Gila Chub	Endangered
Gila Topminnow	Endangered
Sonora Chub	Threatened
Yaqui Catfish	Threatened
Yaqui Chub	Endangered
Yaqui Topminnow	Endangered
San Bernardino Springsnail	Threatened
Acuña Cactus	Endangered
Canelo Hills Ladiestresses	Endangered
Cochise Pincushion Cactus	Threatened
Huachuca Waterumbel	Endangered
Kearney Bluestar	Endangered
Pima Pineapple Cactus	Endangered

*Species Listed under the ESA occurring within 1 mile of the Texas-Mexico border as of

Species	Status
Gulf Coast Jaguarundi	Endangered
Mexican Longnosed Bat	Endangered
Ocelot	Endangered
Least Tern	Endangered
Mexican Spotted Owl	Threatened
Northern Aplomado Falcon	Endangered
Piping Plover	Threatened
Red Knot	Threatened
Redcrowned Parrot	Candidate
Southwestern Willow Flycatcher	Endangered
Yellowbilled Cuckoo	Threatened
Hawksbill Sea Turtle	Endangered
Kemp's Ridley Sea Turtle	Endangered
Leatherback Sea Turtle	Endangered
Loggerhead Sea Turtle	Threatened
Rio Grande Silvery Minnow	Experimental Population
Chisos Mountain Hedgehog Cactus	Threatened
Hinckley Oak	Threatened
Lloyd's Mariposa Cactus	Threatened
Star Cactus	Endangered
Texas Ayenia	Endangered
Walker's Manioc	Endangered
Zapata Bladderpod	Endangered

*Species Listed under the ESA occurring within 1 mile of the New Mexico-Mexico border as of June

Species	Status	
Gray Wolf, Mexican Subspecies	Endangered	
Jaguar	Endangered	
Lesser Longnosed Bat	Endangered	
Mexican Longnosed Bat	Endangered	
Ocelot	Endangered	
Least Tern	Endangered	
Mexican Spotted Owl	Threatened	
Northern Aplomado Falcon	Experimental Populations	
Piping Plover	Threatened	
Red Knot	Threatened	
Southwestern Willow Flycatcher	Endangered	
Yellowbilled Cuckoo	Threatened	
Narrowheaded Gartersnake	Threatened	
New Mexico Ridgenosed Rattlesnake	Threatened	
Northern Mexican Gartersnake	Threatened	
Chiricahua Leopard Frog	Threatened	
Beautiful Shiner	Threatened	
Sneed Pincushion Cactus	Endangered	
Wright's Marsh Thistle	Candidate	

*Species Listed under the ESA occurring within 10 miles of the California-Mexico border as of June

Species	Status	
Southwest willow flycatcher	Endangered	
California least tern	Endangered	
Coastal California gnatcatcher	Threatened	
Least Bell's vireo	Endangered	
Light-footed Ridgway's rail	Endangered	
Yuma Ridgway's rail	Endangered	
Western snowy plover	Threatened	
Western yellow-billed cuckoo	Threatened	
Peninsular bighorn sheep (Distinct Population Segment)	Endangered	
Southwest arroyo toad	Endangered	
Desert tortoise	Threatened	
San Diego fairy shrimp	Endangered	
Riverside fairy shrimp	Endangered	
Quino checkerspot butterfly	Endangered	
Hermes copper butterfly	Candidate	
Razorback sucker	Endangered	
Colorado pikeminnow	Endangered	
California Orcutt grass	Endangered	
Otay mesa mint	Endangered	
Otay tarplant	Threatened	
Spreading navarretia	Threatened	
Encinitas baccharis	Threatened	
Mexican flannelbush	Endangered	
Peirson's milk-vetch	Threatened	
Salt marsh bird's-beak	Endangered	
San Diego ambrosia	Endangered	
San Diego button celery	Endangered	
San Diego thornmint	Threatened	

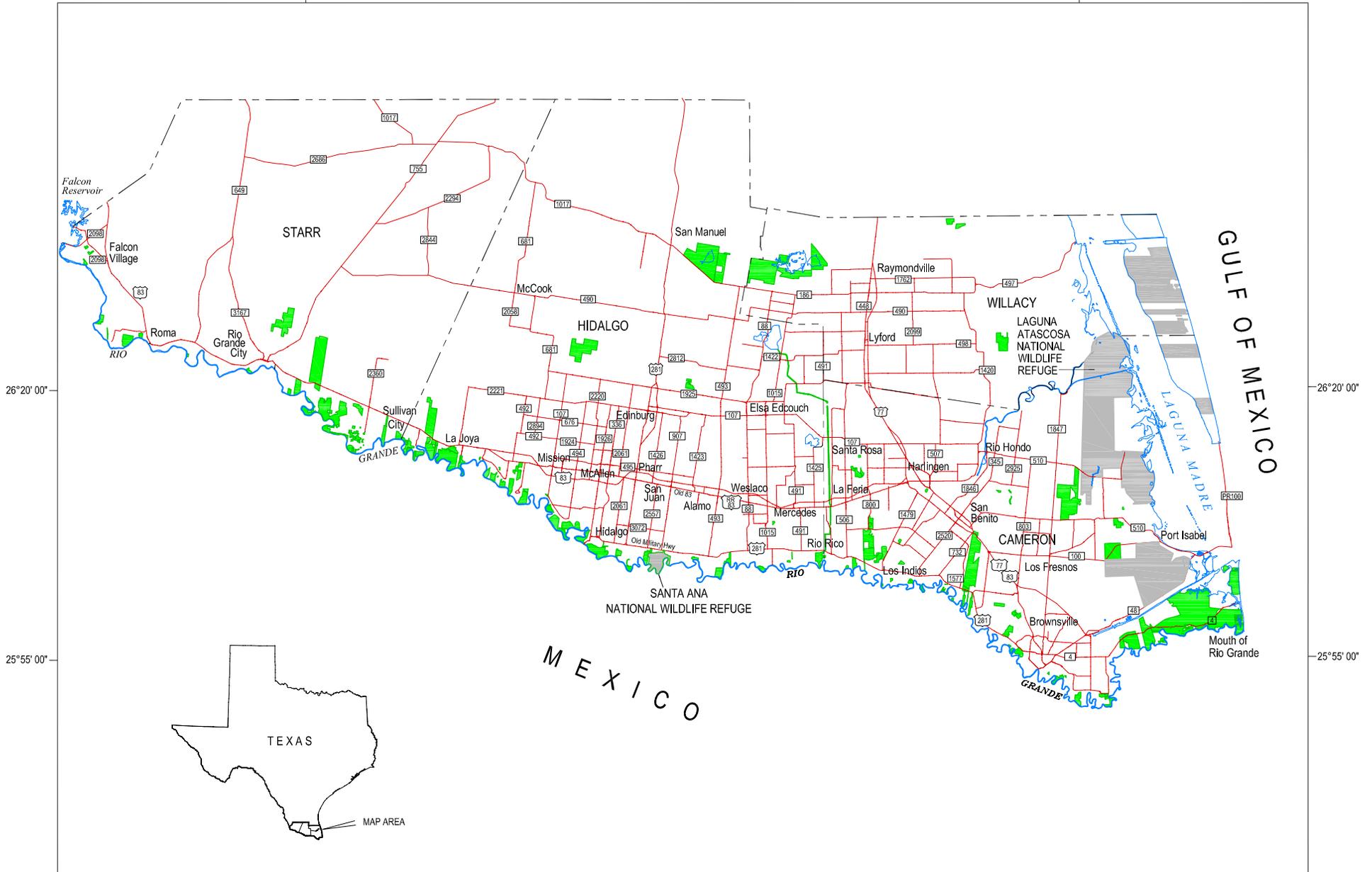


Lower Rio Grande Valley National Wildlife Refuge

Cameron, Hidalgo, Starr & Willacy Counties, Texas

98°45' 00"

97°25' 00"

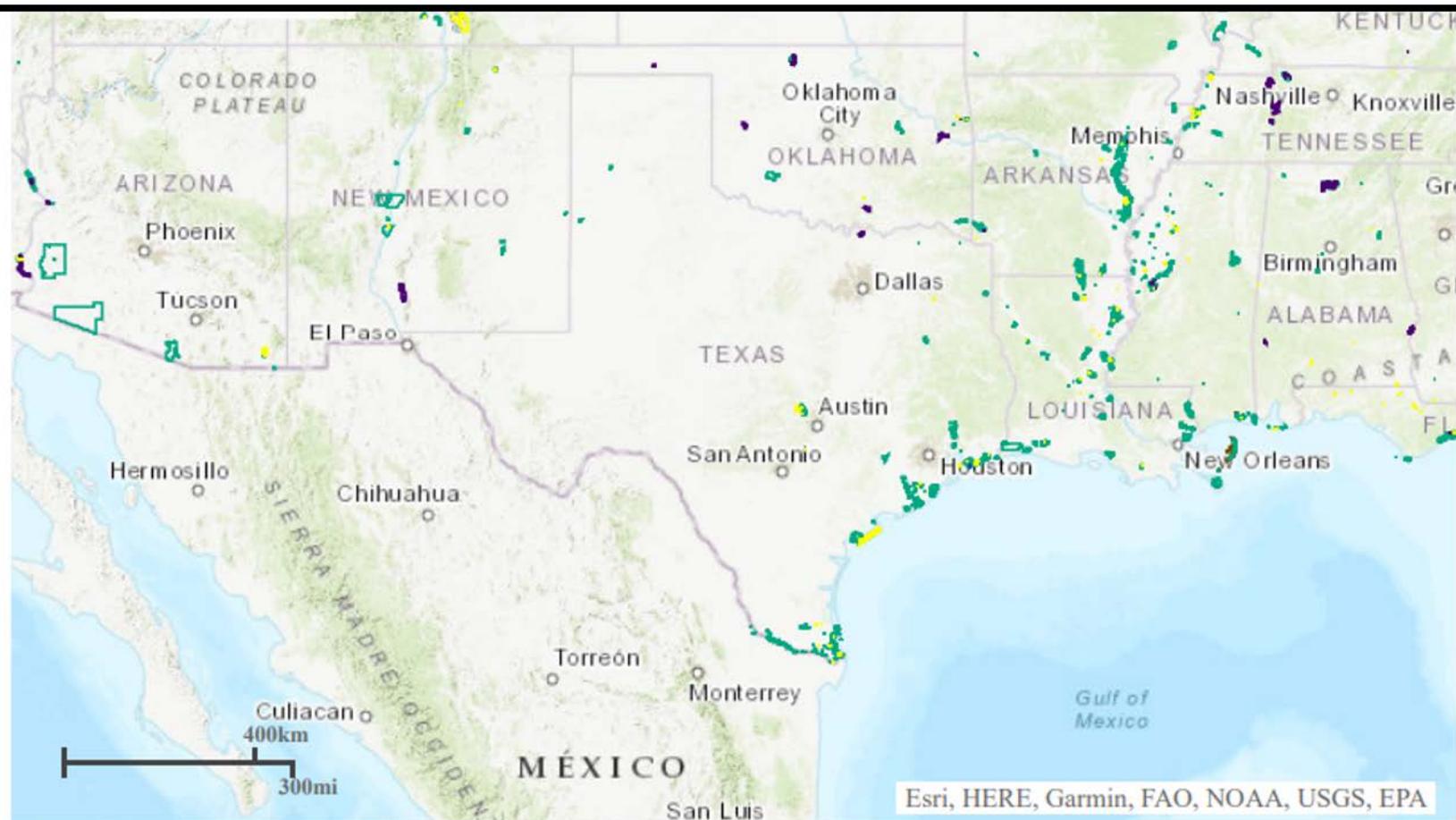


98°45' 00"

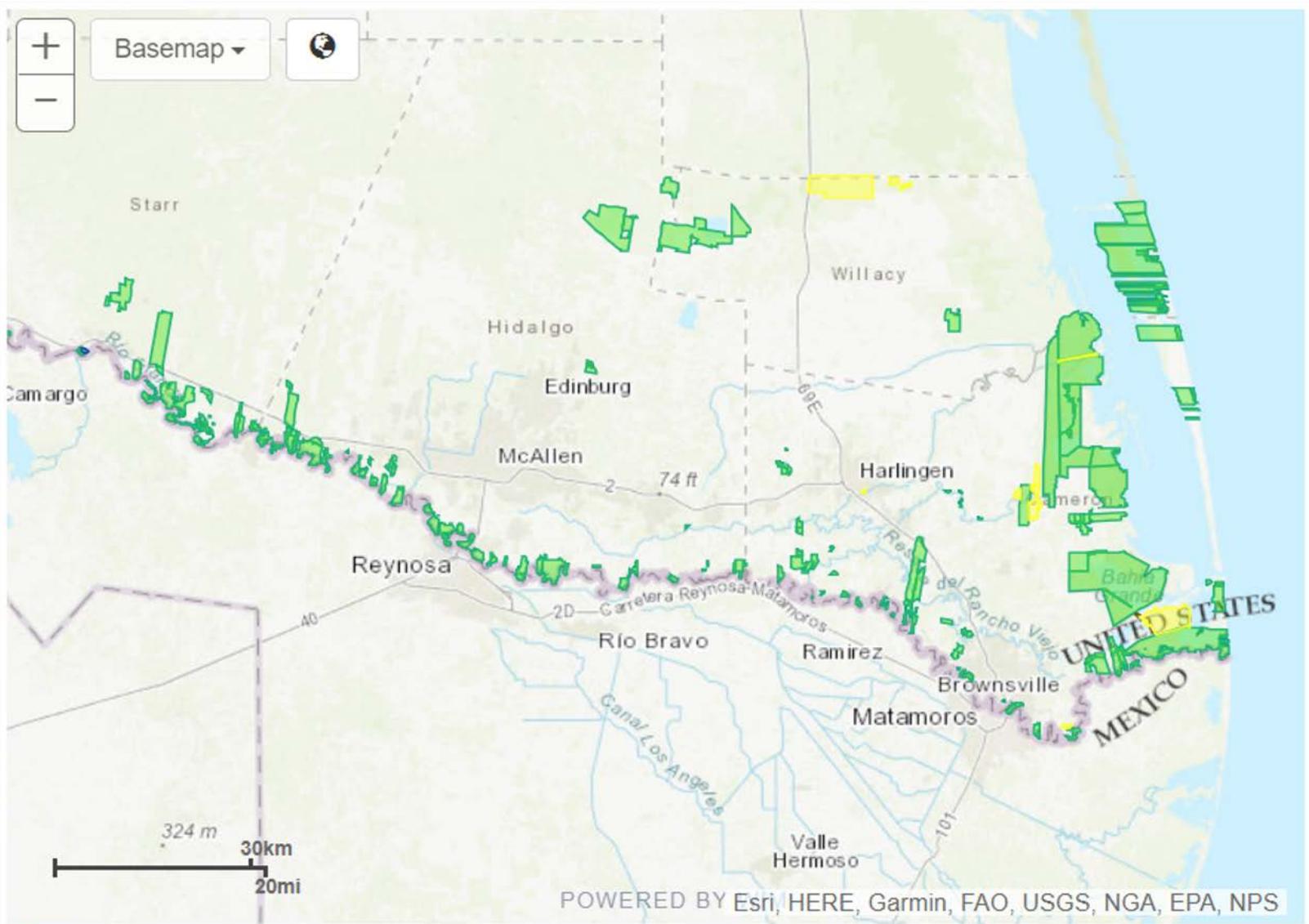
97°25' 00"

Produced in the Division of Realty
 Albuquerque, New Mexico
 Land Status Current to 09/13/06
 Base Map: Ortho Photography, DRGs, Surveys by the USFWS
 Map Projection: NAD, 1927, TX State Plane
 Map Date 09/13/2006





- National Wildlife Refuges
- Waterfowl Production Areas
- National Wildlife Refuges, easement
- Wetland Management Districts
- Agreement
- Secondary to other federal agency
- Partial Interest



- National Wildlife Refuges
- Waterfowl Production Areas
- National Wildlife Refuges, easement

- Wetland Management Districts
- Agreement
- Secondary to other federal agency
- Partial Interest

0 0.25 0.5Mi

La Parida Banco (447 ac.)

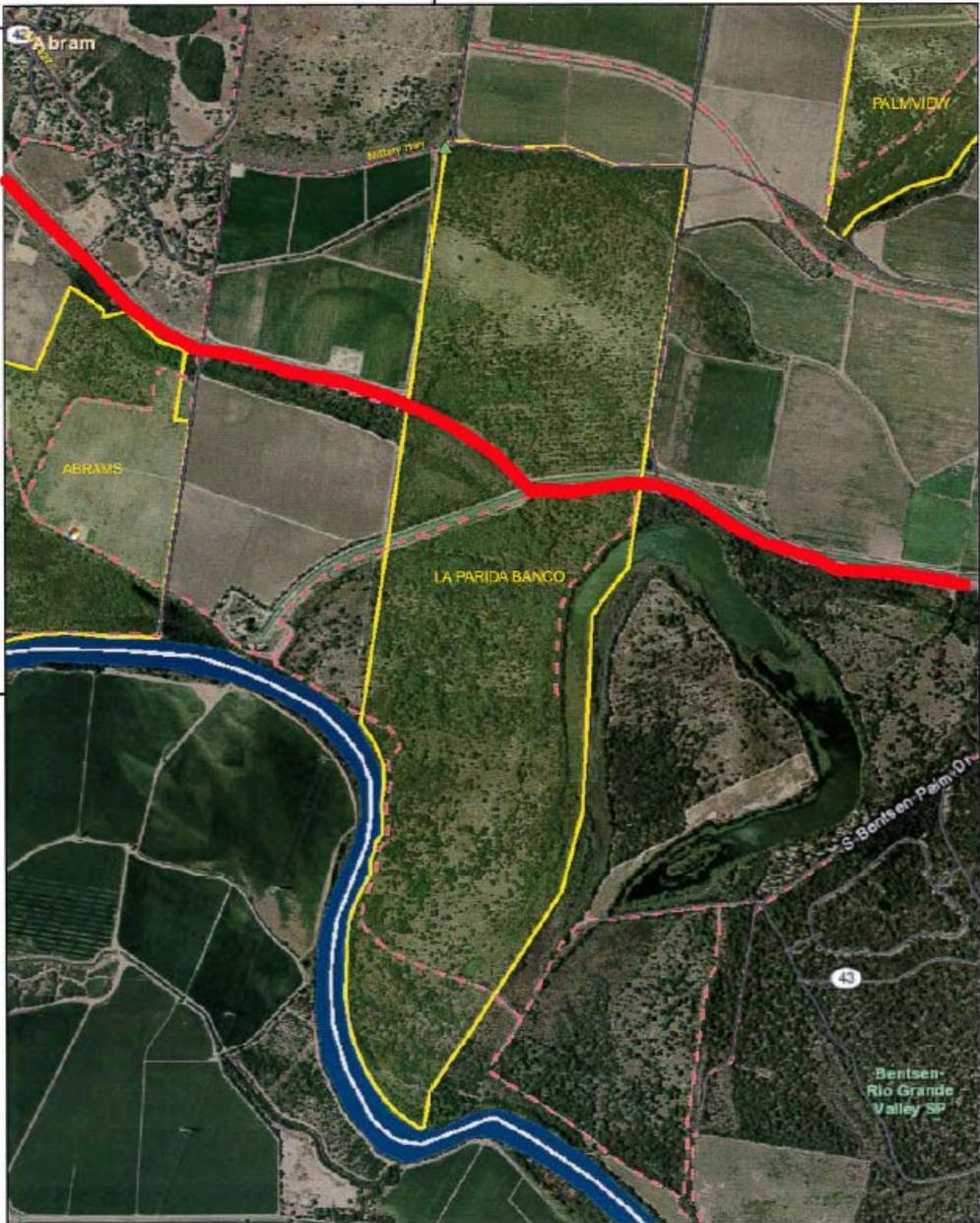


2898000

2990000

2896000

2896000



560000



Levee Location



Rio Grande



USFWS NWR

0 0.25 0.5Mi

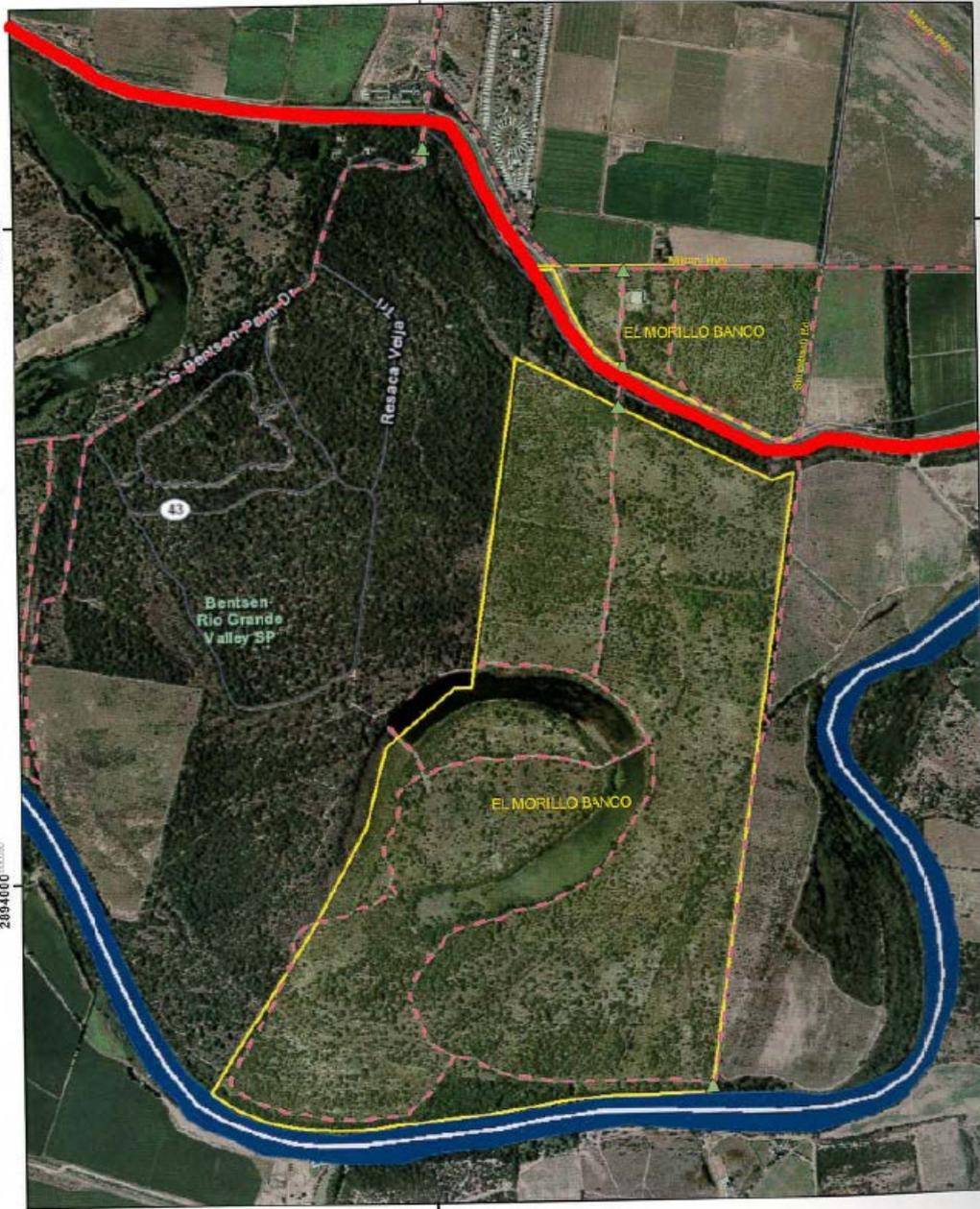
El Morillo Banco (654 ac.)



562000 100000

2896500 100000

2894000 100000



562000 100000

Levee Location

Rio Grande

USFWS NWR