

116TH CONGRESS
2D SESSION

H. R. 5828

To support remediation of illicit cross-border tunnels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2020

Mrs. LESKO (for herself, Ms. TORRES SMALL of New Mexico, and Mrs. HARTZLER) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To support remediation of illicit cross-border tunnels, and
for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “DHS Illicit Cross-Bor-
5 der Tunnel Defense Act”.

6 **SEC. 2. COUNTER ILLICIT CROSS-BORDER TUNNEL OPER-**
7 **ATIONS.**

8 (a) REPORT ON OPERATIONS.—

9 (1) IN GENERAL.—Not later than one year
10 after the date of the enactment of this Act and an-

1 nually thereafter, the Commissioner of U.S. Customs
2 and Border Protection shall submit to the Com-
3 mittee on Homeland Security of the House of Rep-
4 resentatives and the Committee on Homeland Secu-
5 rity and Governmental Affairs of the Senate a report
6 on operations carried out to identify, breach, assess,
7 and remediate illicit cross-border tunnels, including
8 performance measures.

9 (2) AUTHORIZATION OF APPROPRIATIONS.—

10 There is authorized to be appropriated \$1,000,000
11 for each of fiscal years 2021 and 2022 to carry out
12 remediation operations described in paragraph (1).

13 (b) COUNTER ILLICIT CROSS-BORDER TUNNEL OP-
14 ERATIONS STRATEGIC PLAN.—

15 (1) IN GENERAL.—Not later than 180 days
16 after the date of the enactment of this Act, the
17 Commissioner of U.S. Customs and Border Protec-
18 tion shall develop a strategic plan to address the fol-
19 lowing:

20 (A) Risk-based criteria to be used to
21 prioritize the identification, breach, assessment,
22 and remediation of illicit cross-border tunnels.

23 (B) Promote the use of innovative tech-
24 nologies to identify, breach, assess, and reme-
25 diate illicit cross-border tunnels in a manner

1 that, among other considerations, reduces the
2 impact of such activities on surrounding com-
3 munities.

4 (C) Processes to share relevant illicit cross-
5 border tunnel location, operations, and technical
6 information.

7 (D) Indicators of specific types of illicit
8 cross-border tunnels found in each U.S. Border
9 Patrol sector identified through operations to be
10 periodically disseminated to U.S. Border Patrol
11 sector chiefs to educate field personnel.

12 (E) A counter illicit cross-border tunnel
13 operations resource needs assessment that in-
14 cludes consideration of the following:

15 (i) Technology needs.

16 (ii) Staffing needs, including the fol-
17 lowing:

18 (I) A position description for
19 counter illicit cross-border tunnel op-
20 erations personnel.

21 (II) Any specialized skills re-
22 quired of such personnel.

23 (III) The number of such full
24 time personnel, disaggregated by U.S.
25 Border Patrol sector.

1 (2) REPORT TO CONGRESS ON STRATEGIC
2 PLAN.—Not later than one year after the issuance of
3 the strategic plan required under paragraph (1), the
4 Commissioner of U.S. Customs and Border Protec-
5 tion shall submit to the Committee on Homeland Se-
6 curity of the House of Representatives and the Com-
7 mittee on Homeland Security and Governmental Af-
8 fairs of the Senate a report on the implementation
9 of paragraph (1).

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