Union Calendar No. 378

116TH CONGRESS
2D SESSION
H. R. 5828

[Report No. 116–471]

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

AUGUST 7, 2020

Reported with an amendment; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on February 10, 2020]

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 after*

10   *the date of the enactment of this Act and annually*

11   *thereafter, the Commissioner of U.S. Customs and*

12   *Border Protection shall submit to the Committee on*

13   *Homeland Security of the House of Representatives*

14   *and the Committee on Homeland Security and Gov-*

15   *ernmental Affairs of the Senate a report on oper-*

16   *ations carried out to identify, breach, assess, and re-*

17   *mediate illicit cross-border tunnels, including per-*

18   *formance measures.*

19   *(2) AUTHORIZATION OF APPROPRIATIONS.—*

20   *There is authorized to be appropriated to the Com-*

21   *missioner of U.S. Customs and Border Protection*

22   *$1,000,000 for each of fiscal years 2021 and 2022 to*

23   *carry out remediation operations of illicit cross-bor-*

24   *der tunnels.*

1   *(b) COUNTER ILLICIT CROSS-BORDER TUNNEL OPER-*

2 *ATIONS STRATEGIC PLAN.—*

3   *(1) IN GENERAL.—Not later than 180 days after*

4   *the date of the enactment of this Act, the Commis-*

5   *sioner of U.S. Customs and Border Protection shall*

6   *develop a strategic plan to address the following:*

7   *(A) Risk-based criteria to be used to*

8   *prioritize the identification, breach, assessment,*

9   *and remediation of illicit cross-border tunnels.*

10   *(B) Promote the use of innovative tech-*

11   *nologies to identify, breach, assess, and remediate*

12   *illicit cross-border tunnels in a manner that,*

13   *among other considerations, reduces the impact*

14   *of such activities on surrounding communities.*

15   *(C) Processes to share relevant illicit cross-*

16   *border tunnel location, operations, and technical*

17   *information.*

18   *(D) Indicators of specific types of illicit*

19   *cross-border tunnels found in each U.S. Border*

20   *Patrol sector identified through operations to be*

21   *periodically disseminated to U.S. Border Patrol*

22   *sector chiefs to educate field personnel.*

23   *(E) A counter illicit cross-border tunnel op-*

24   *erations resource needs assessment that includes*

25   *consideration of the following:*

1   *(i) Technology needs.*

2   *(ii) Staffing needs, including the fol-*

3   *lowing:*

4   *(I) A position description for*

5   *counter illicit cross-border tunnel oper-*

6   *ations personnel.*

7   *(II) Any specialized skills re-*

8   *quired of such personnel.*

9   *(III) The number of such full time*

10   *personnel, disaggregated by U.S. Bor-*

11   *der Patrol sector.*

12   *(2) REPORT TO CONGRESS ON STRATEGIC*

13   *PLAN.—Not later than one year after the issuance of*

14   *the strategic plan required under paragraph (1), the*

15   *Commissioner of U.S. Customs and Border Protection*

16   *shall submit to the Committee on Homeland Security*

17   *of the House of Representatives and the Committee on*

18   *Homeland Security and Governmental Affairs of the*

19   *Senate a report on the implementation of paragraph*

20   *(1).*

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