

**Suspend the Rules and Pass the Bill, H.R. 4209, With an Amendment**

**(The amendment strikes all after the enacting clause and inserts a new text)**

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 4209

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

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IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 2021

Mr. PFLUGER (for himself and Mrs. LESKO) introduced the following bill;  
which was referred to the Committee on Homeland Security

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## 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) COUNTER ILLICIT CROSS-BORDER TUNNEL OP-  
9 ERATIONS STRATEGIC PLAN.—

1           (1) IN GENERAL.—Not later than 180 days  
2 after the date of the enactment of this Act, the  
3 Commissioner of U.S. Customs and Border Protec-  
4 tion, in coordination with the Under Secretary for  
5 Science and Technology, and, as appropriate, other  
6 officials of the Department of Homeland Security,  
7 shall develop a counter illicit cross-border tunnel op-  
8 erations strategic plan (in this section referred to as  
9 the “strategic plan”) to address the following:

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

13           (B) Promote the use of innovative tech-  
14 nologies to identify, breach, assess, and reme-  
15 diate illicit cross-border tunnels in a manner  
16 that, among other considerations, reduces the  
17 impact of such activities on surrounding com-  
18 munities.

19           (C) Processes to share relevant illicit cross-  
20 border tunnel location, operations, and technical  
21 information.

22           (D) Indicators of specific types of illicit  
23 cross-border tunnels found in each U.S. Border  
24 Patrol sector identified through operations to be

1           periodically disseminated to U.S. Border Patrol  
2           sector chiefs to educate field personnel.

3           (E) A counter illicit cross-border tunnel  
4           operations resource needs assessment that in-  
5           cludes consideration of the following:

6                   (i) Technology needs.

7                   (ii) Staffing needs, including the fol-  
8           lowing:

9                           (I) A position description for  
10                           counter illicit cross-border tunnel op-  
11                           erations personnel.

12                           (II) Any specialized skills re-  
13                           quired of such personnel.

14                           (III) The number of such full  
15                           time personnel, disaggregated by U.S.  
16                           Border Patrol sector.

17           (2) REPORT TO CONGRESS ON STRATEGIC  
18           PLAN.—Not later than one year after the develop-  
19           ment of the strategic plan, the Commissioner of U.S.  
20           Customs and Border Protection shall submit to the  
21           Committee on Homeland Security of the House of  
22           Representatives and the Committee on Homeland  
23           Security and Governmental Affairs of the Senate a  
24           report on the implementation of the strategic plan.

1           (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
2 authorized to be appropriated to the Commissioner of U.S.  
3 Customs and Border Protection \$1,000,000 for each of  
4 fiscal years 2023 and 2024 to carry out—

5                   (1) the development of the strategic plan; and

6                   (2) remediation operations of illicit cross-border  
7 tunnels in accordance with the strategic plan to the  
8 maximum extent practicable.