

116TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

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

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IN THE SENATE OF THE UNITED STATES

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Ms. MCSALLY introduced the following bill; which was read twice and referred  
to the Committee on \_\_\_\_\_

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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) **AUTHORIZATION OF APPROPRIATIONS.**—There is  
9       authorized to be appropriated to the Commissioner of U.S.  
10      Customs and Border Protection \$1,000,000 for each of

1 fiscal years 2021 and 2022 to carry out remediation oper-  
2 ations of illicit cross-border tunnels.

3 (b) COUNTER ILLICIT CROSS-BORDER TUNNEL OP-  
4 ERATIONS STRATEGIC PLAN.—

5 (1) IN GENERAL.—Not later than 180 days  
6 after the date of the enactment of this Act, the  
7 Commissioner of U.S. Customs and Border Protec-  
8 tion shall develop a strategic plan to address the fol-  
9 lowing:

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 issuance of  
19           the strategic plan required under paragraph (1), the  
20           Commissioner of U.S. Customs and Border Protec-  
21           tion shall submit to the Committee on Homeland Se-  
22           curity of the House of Representatives and the Com-  
23           mittee on Homeland Security and Governmental Af-  
24           fairs of the Senate a report on the implementation  
25           of paragraph (1).