

117TH CONGRESS
1ST SESSION

H. R. 4209

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

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

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.—

10 (1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this Act, the

1 Commissioner of U.S. Customs and Border Protec-
2 tion shall develop a strategic plan to address the fol-
3 lowing:

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

7 (B) Promote the use of innovative tech-
8 nologies to identify, breach, assess, and reme-
9 diate illicit cross-border tunnels in a manner
10 that, among other considerations, reduces the
11 impact of such activities on surrounding com-
12 munities.

13 (C) Processes to share relevant illicit cross-
14 border tunnel location, operations, and technical
15 information.

16 (D) Indicators of specific types of illicit
17 cross-border tunnels found in each U.S. Border
18 Patrol sector identified through operations to be
19 periodically disseminated to U.S. Border Patrol
20 sector chiefs to educate field personnel.

21 (E) A counter illicit cross-border tunnel
22 operations resource needs assessment that in-
23 cludes consideration of the following:

24 (i) Technology needs.

1 (ii) Staffing needs, including the fol-
2 lowing:

3 (I) A position description for
4 counter illicit cross-border tunnel op-
5 erations personnel.

6 (II) Any specialized skills re-
7 quired of such personnel.

8 (III) The number of such full
9 time personnel, disaggregated by U.S.
10 Border Patrol sector.

11 (2) REPORT TO CONGRESS ON STRATEGIC
12 PLAN.—Not later than one year after the issuance of
13 the strategic plan required under paragraph (1), the
14 Commissioner of U.S. Customs and Border Protec-
15 tion shall submit to the Committee on Homeland Se-
16 curity of the House of Representatives and the Com-
17 mittee on Homeland Security and Governmental Af-
18 fairs of the Senate a report on the implementation
19 of paragraph (1).

20 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to the Commissioner of U.S.
22 Customs and Border Protection \$1,000,000 for each of
23 fiscal years 2022 and 2023 to carry out remediation oper-
24 ations of illicit cross-border tunnels.

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