

that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The United States Border Patrol El Paso Sector is an area of high illegal entry. In fiscal year 2024, the United States Border Patrol (“Border Patrol”) apprehended over 256,000 illegal aliens attempting to enter the United States between border crossings in the El Paso Sector. In that same time period, Border Patrol seized over 1,850 pounds of marijuana, over 475 pounds of cocaine, over 400 pounds of methamphetamine, and over 60 pounds of fentanyl.

Owing to the high levels of illegal entry within the El Paso Sector, I must use my authority under section 102 of IIRIRA to install additional barriers and roads in the El Paso Sector. Therefore, DHS will take immediate action to construct additional barriers and roads in segments of the border in the El Paso Sector. The segments where such construction will occur are referred to herein as the “project area,” which is more specifically described in Section 2 below.

Section 2

I determine that the following area in the vicinity of the United States border, located in the State of New Mexico within the U.S. Border Patrol El Paso Sector, is an area of high illegal entry (the “project area”):

- Starting at Border Monument 60 and extending one-tenth (0.10) of a mile east;
- Starting at Border Monument 39 and extending east to Border Monument 35; and
- Starting at Border Monument 5 and extending east to Border Monument 1.

There is presently an acute and immediate need to construct additional physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to section 102(a) of IIRIRA. In order to ensure the expeditious construction of additional physical barriers and roads in the project area, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and

using staging areas, the conduct of earthwork, excavation, fill, and site preparation, drainage and erosion control, and installation and upkeep of physical barriers and roads) in the project area, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*)); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.*, now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*)); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95 (16 U.S.C. 470aa *et seq.*)); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*), the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archeological and Historic Preservation Act (Pub. L. 86–523, as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.*, now codified at 54 U.S.C. 312502 *et seq.*)); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.* and 16 U.S.C. 431a *et seq.*, now codified at 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.*, now codified at 54 U.S.C. 320301–320303 & 320101–320106); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); Section 438 of the Energy Independence and Security Act (42 U.S.C. 17094); the National Fish and

Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 *et seq.*)); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Federal Land Policy and Management Act (Pub. L. 94–579 (43 U.S.C. 1701 *et seq.*)); and the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Kristi Noem,

Secretary of Homeland Security.

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended

AGENCY: Office of the Secretary, Department of Homeland Security.

ACTION: Notice of determination.

SUMMARY: The Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in the state of Arizona.

DATES: This determination takes effect on June 3, 2025.

SUPPLEMENTARY INFORMATION: Important mission requirements of the Department of Homeland Security (“DHS”) include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation’s national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109–367, section 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined “operational control” as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of

terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate, the President's Executive Order on Securing Our Borders directs that I take all appropriate action to deploy and construct physical barriers to ensure complete operational control of the southern border of the United States. Executive Order 14165, section 3 (Jan. 20, 2025).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS's border security mission. One of those authorities is found at section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended ("IIRIRA"). Public Law 104–208, Div. C, 110 Stat. 3009–546, 3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, section 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, section 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States. In section 102(b) of IIRIRA, Congress mandated the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

Determination and Waiver

Section 1

The United States Border Patrol Yuma Sector is an area of high illegal entry. In fiscal year 2024 the United States Border Patrol ("Border Patrol") apprehended over 53,000 illegal aliens attempting to enter the United States between border crossings in the Yuma Sector. In that same time period, Border Patrol seized over 30 pounds of marijuana, over 300 pounds of cocaine, over 10 pounds of heroin, over 300

pounds of methamphetamine, and 470 pounds of fentanyl.

Owing to the high levels of illegal entry within the Yuma Sector, I must use my authority under section 102 of IIRIRA to install additional barriers and roads in the Yuma Sector. Therefore, DHS will take immediate action to construct additional barriers and roads in a segment of the border in the Yuma Sector. The segment where such construction will occur is referred to herein as the "project area," which is more specifically described in Section 2 below.

Section 2

I determine that the following area in the vicinity of the United States border, located in the State of Arizona within the U. S. Border Patrol Yuma Sector, is an area of high illegal entry (the "project area"):

- Starting at Border Monument 203 and extending south and east to Border Monument 191.

There is presently an acute and immediate need to construct additional physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project area pursuant to section 102(a) of IIRIRA. In order to ensure the expeditious construction of additional physical barriers and roads in the project area, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of physical barriers and roads (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, drainage and erosion control, and installation and upkeep of physical barriers and roads), in the project area, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended: The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33 U.S.C. 1251 *et seq.*)); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19,

2014) (formerly codified at 16 U.S.C. 470 *et seq.*, now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95 (16 U.S.C. 470aa *et seq.*)); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*), the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archeological and Historic Preservation Act (Pub. L. 86–523, as amended, repealed, or replaced by Pub. L. 113–287 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.*, now codified at 54 U.S.C. 312502 *et seq.*); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.* and 16 U.S.C. 431a *et seq.*, now codified at 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.*, now codified at 54 U.S.C. 320301–320303 & 320101–320106); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); Section 438 of the Energy Independence and Security Act (42 U.S.C. 17094); the National Fish and Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 *et seq.*)); the Federal Land Policy and Management Act (Pub. L. 94–579 (43 U.S.C. 1701 *et seq.*)); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); the Military Lands Withdrawal Act of 1999 (Pub. L. 106–65, 113 Stat. 885 (Oct. 5, 1999)); and the Sikes Act (16 U.S.C. 670 *et seq.*).

This waiver does not revoke or supersede any other waiver determination made pursuant to section 102(c) of IIRIRA. Such waivers shall remain in full force and effect in accordance with their terms. I reserve the authority to execute further waivers from time to time as I may determine to

be necessary under section 102 of IIRIRA.

Kristi Noem,

Secretary of Homeland Security.

[FR Doc. 2025–10043 Filed 6–2–25; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA–2011–0008]

Request for Applicants for Appointment to the Aviation Security Advisory Committee

AGENCY: Transportation Security Administration, Department of Homeland Security.

ACTION: Committee management; request for applicants.

SUMMARY: The Transportation Security Administration (TSA) requests that qualified individuals interested in serving on the Aviation Security Advisory Committee (ASAC) apply for appointment. All applicants must represent one of the constituencies specified below to be eligible for appointment and complete applications submitted, as required below, to be considered for appointment.

DATES: Applications for membership must be submitted to TSA, using one of the methods identified in the **ADDRESSES** section below, on or before July 3, 2025.

ADDRESSES: Applications must be submitted by one of the following means:

- *Email:* To ASAC@tsa.dhs.gov.
- *Mail:* Addressed to the individual identified under the **FOR FURTHER INFORMATION CONTACT** section.

FOR FURTHER INFORMATION CONTACT: Tamika McCree Elhilali, ASAC Designated Federal Officer, Transportation Security Administration (TSA–28), 6595 Springfield Center Drive, Springfield, VA 20598–6028, ASAC@tsa.dhs.gov, 202–595–4802.

SUPPLEMENTARY INFORMATION:

The Aviation Security Advisory Committee

The ASAC is an advisory committee established pursuant to 49 U.S.C. 44946. ASAC's mission is to provide advice and recommendations to the TSA Administrator on improving aviation security matters, including developing, refining, and implementing policies, programs, rulemakings, and security directives pertaining to aviation security, while adhering to sensitive security guidelines. The committee is

composed of individual members representing 19 key constituencies affected by aviation security requirements, as defined at 49 U.S.C. 44946(c)(1)(C).

This request for applications is for the following membership categories:

1. Air carriers.
2. All-cargo air transportation.
3. Labor organizations representing air carrier employees.
4. Aircraft manufacturers.
5. Airport operators.
6. General aviation.
7. Travel industry.
8. Victims of terrorist acts against aviation.
9. Law enforcement and security experts.
10. Indirect air carriers.
11. Aviation security technology industry (including screening technology and biometrics).
12. Airport-based businesses.
13. Passenger advocacy groups.
14. Airport authorities and businesses that conduct security operations at airports.
15. Labor organizations representing transportation security officers.
16. Airport construction and maintenance contractors.
17. Labor organizations representing employees of airport construction and maintenance contractors.
18. Privacy organizations.
19. Aeronautical repair stations.

Unless otherwise noted, the ASAC does not have a specific number of members allocated to any membership category and the number of members in a category may change to fit the needs of the Committee. As required by the statute, however, individuals selected on the ASAC may not represent more than 34 member organizations.

Appointees will be designated as representative members. Representative members speak for the key constituency group they represent. Membership on ASAC is personal to the appointee and a member may not send an alternate to a Committee meeting. Pursuant to 49 U.S.C. 44946(c)(3), members shall not receive pay, allowances, or benefits from the Government by reason of their service on ASAC.

Application for Advisory Committee Appointment

TSA is seeking applications for the membership categories listed above. Any person wishing to be considered for appointment to ASAC must provide the following:

- Home and work addresses, telephone number(s), and email address.
- Complete professional resume.
- Statement of interest and reasons for application, including the

membership category and how you represent a significant portion of that constituency and provide a brief explanation of how you can contribute to one or more TSA strategic initiatives, based on your prior experience with TSA, or your review of current TSA strategic documents that can be found at www.tsa.gov/about/strategy.

TSA will confirm receipt of your application and will notify you of the final status of your application once TSA selects members.

Committee Meetings

The ASAC typically convenes four times per year. Additional meetings may be held with the approval of the Designated Federal Official. While at least one meeting per year is open to the public, the other meetings are typically closed to the public due to the sensitive nature of the material discussed. In addition, members are expected to participate on ASAC subcommittees that typically meet more frequently to deliberate and discuss specific aviation matters.

Committee Membership

Committee members are appointed by, and serve at the pleasure of, the TSA Administrator for a 2-year term or until a successor is appointed.

Committee Membership Vetting

All applicants that are presented to the TSA Administrator for appointment to ASAC must successfully complete a Security Threat Assessment by TSA, as access to sensitive security information will be necessary. U.S. citizens and those meeting residency requirements will be vetted using TSA's Universal Enrollment Services, which includes the collection of biographic and biometric information to allow TSA to perform the Security Threat Assessment. Selected applicants will be offered a no-cost authorization code to complete the three-step Universal Enrollment Services process; which includes online pre-enrollment, coordinating a visit to an enrollment center, and the in-person visit to the enrollment center.

Non-U.S. applicants presented for appointment to ASAC will be required to complete additional vetting. This vetting will include the completion and submission of TSA Form 2816B form, which must be submitted at least 30 days before visiting TSA spaces.

Dated: May 28, 2025.

Eddie D. Mayenschein,

Assistant Administrator, Policy, Plans, and Engagement, Transportation Security Administration.

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