

112TH CONGRESS
2D SESSION

H. R. 6025

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2012

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To provide for annual reports on the status of operational control of the international land and maritime borders of the United States and unlawful entries, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Mandatory Operational
3 Control Reporting and Performance Measures Act of
4 2012”.

5 **SEC. 2. ANNUAL REPORTS ON OPERATIONAL CONTROL OF**
6 **INTERNATIONAL LAND AND MARITIME BOR-**
7 **DERS.**

8 (a) IN GENERAL.—The Secretary of Homeland Secu-
9 rity shall submit to the Committee on Homeland Security
10 of the House of Representatives and the Committee on
11 Homeland Security and Governmental Affairs of the Sen-
12 ate, as part of the Department of Homeland Security’s
13 Annual Performance Report, an annual report on the
14 number of miles of the international land and maritime
15 border between the United States and Canada and the
16 United States and Mexico that are under operational con-
17 trol of the Department, cumulatively and by sector.

18 (b) ESTIMATES OF UNLAWFUL ENTRIES.—Each re-
19 port under subsection (a) shall include the estimated num-
20 ber of unlawful entries between ports of entry along the
21 international land and maritime borders of the United
22 States during the period covered by the report, determined
23 using all available sources of data.

24 (c) INDEPENDENT EVALUATION.—The Secretary of
25 Homeland Security shall make available to the Govern-
26 ment Accountability Office the data and methodology used

1 to compile the statistics used in preparing each report
2 under subsection (a), to ensure the suitability and statis-
3 tical validity of such data and methodology.

4 (d) TERMINOLOGY AND METHODOLOGY.—Except as
5 provided in subsection (e), for purposes of consistent
6 usage of terminology and methodology in the annual re-
7 ports required under subsection (a), the Secretary of
8 Homeland Security shall use the methodology used to
9 measure such operational control in accordance with the
10 Department’s Annual Performance Reports for each of fis-
11 cal years 2008 through 2010.

12 (e) ALTERNATE TERMINOLOGY AND METHOD-
13 OLOGY.—The Secretary of Homeland Security shall use
14 the terminology and methodology described in subsection
15 (d) until such time as an alternate terminology and meth-
16 odology is—

- 17 (1) required by an Act of Congress; or
18 (2) certified as suitable and statistically valid
19 by a Department of Energy National Laboratory
20 with prior expertise in border security.

Passed the House of Representatives November 27,
2012.

Attest:

KAREN L. HAAS,

Clerk.