

113TH CONGRESS
2D SESSION

H. R. 4962

To provide for enhanced border security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2014

Mr. FRANKS of Arizona (for himself, Mr. SCHWEIKERT, Mr. GOSAR, Mr. FINCHER, Mr. STOCKMAN, Mr. LAMALFA, Mr. CRENSHAW, Mr. WEBER of Texas, Mr. POE of Texas, Mr. SAM JOHNSON of Texas, Mr. NEUGEBAUER, Mr. MCCLINTOCK, Mr. DESANTIS, Mr. POSEY, Mr. YOHO, Mrs. BACHMANN, and Mr. MILLER of Florida) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, Natural Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for enhanced border security, 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 “National Border and
5 Homeland Security Act”.

1 **SEC. 2. PRIORITY DISTRIBUTIONS UNDER THE STATE**
2 **CRIMINAL ALIEN ASSISTANCE PROGRAM.**

3 Section 241(i) of the Immigration and Nationality
4 Act (8 U.S.C. 1231(i)) is amended by adding at the end
5 the following:

6 “(7) In distributing amounts under this sub-
7 section to a State or political subdivision of a State,
8 including a municipality, for a fiscal year, the Attor-
9 ney General shall prioritize compensating—

10 “(A) States that are on the northern or
11 southern border; or

12 “(B) political subdivisions of States, in-
13 cluding municipalities, that, in the determina-
14 tion of the Attorney General, have one of the
15 four largest populations of aliens unlawfully
16 present in the United States for the preceding
17 fiscal year.”.

18 **SEC. 3. FENCING ALONG AND OPERATIONAL CONTROL OF**
19 **THE SOUTHWEST BORDER.**

20 (a) FENCING.—Section 102(b)(1) of the Illegal Immi-
21 gration Reform and Immigrant Responsibility Act of 1996
22 (8 U.S.C. 1103 note) is amended—

23 (1) in subparagraph (A), by inserting “, not
24 later than December 31, 2015,” before “construct”;
25 and

26 (2) in subparagraph (B)—

1 (A) in clause (i), by striking “370 miles, or
2 other mileage determined by the Secretary,
3 whose authority to determine other mileage
4 shall expire on December 31, 2008,” and in-
5 serting “areas”; and

6 (B) in clause (ii), by striking “2008” and
7 inserting “2015”.

8 (b) OPERATIONAL CONTROL.—Subsection (a) of sec-
9 tion 2 the Secure Fence Act of 2006 (8 U.S.C. 1701 note;
10 Public Law 109–367) is amended, in the matter preceding
11 paragraph (1)—

12 (1) by striking “18 months after the date of the
13 enactment of this Act,” and inserting “December
14 31, 2015,”; and

15 (2) by inserting “, in consultation with State
16 and local officials along the international border be-
17 tween the United States and Mexico, including bor-
18 der State governors, mayors of border towns and cit-
19 ies, and border sheriffs,” before “shall”.

20 **SEC. 4. BORDER PATROL AGENTS.**

21 The Secretary of Homeland Security shall increase
22 the number of positions for full-time, active-duty Border
23 Patrol agents over the number of such agents for the pre-
24 ceding fiscal year as follows:

1 (1) Three thousand such agents for fiscal year
2 2015 (with 2,500 such agents deployed to the south-
3 ern border and 500 such agents deployed to the
4 northern border).

5 (2) One thousand such agents for fiscal year
6 2016 (with 800 such agents deployed to the south-
7 ern border and 200 such agents deployed to the
8 northern border).

9 (3) One thousand such agents for fiscal year
10 2017 (with 800 such agents deployed to the south-
11 ern border and 200 such agents deployed to the
12 northern border).

13 (4) One thousand such agents for fiscal year
14 2018 (with 800 such agents deployed to the south-
15 ern border and 200 such agents deployed to the
16 northern border).

17 **SEC. 5. CUSTOMS AND BORDER PROTECTION.**

18 For each of fiscal years 2015, 2016, 2017, and 2018,
19 the Secretary of Homeland Security shall increase by not
20 fewer than 200 the number of United States Customs and
21 Border Protection officers at United States ports of entry
22 over the number of such officers at such ports for the pre-
23 ceding fiscal year.

1 **SEC. 6. BIOMETRIC ENTRY AND EXIT DATA SYSTEM.**

2 (a) IN GENERAL.—Not later than 18 months after
3 the date of enactment of this Act, the Secretary of Home-
4 land Security shall establish the biometric entry and exit
5 data system required by section 7208 of the Intelligence
6 Reform and Terrorism Prevention Act of 2004 (8 U.S.C.
7 1365b), notwithstanding any other dates specified in such
8 section.

9 (b) REQUIREMENTS.—In addition to the features re-
10 quired by the biometric entry and exit data system in ac-
11 cordance with section 7208 of the Intelligence Reform and
12 Terrorism Prevention Act of 2004 (8 U.S.C. 1365b), the
13 Secretary of Homeland Security shall ensure that such
14 system is established and in operation at each port of
15 entry in the United States.

16 **SEC. 7. PROHIBITION ON IMPEDING CERTAIN ACTIVITIES**
17 **OF THE SECRETARY OF HOMELAND SECU-**
18 **RITY RELATED TO BORDER SECURITY.**

19 On public lands of the United States, neither the Sec-
20 retary of the Interior nor the Secretary of Agriculture may
21 impede, prohibit, or restrict activities of the Secretary of
22 Homeland Security to achieve operational control (as de-
23 fined in section 2(b) of the Secure Fence Act of 2006 (8
24 U.S.C. 1701 note; Public Law 109–367).

1 **SEC. 8. GLOBAL NUCLEAR DETECTION ARCHITECTURE.**

2 Section 1902(a) of the Homeland Security Act of
3 2002 (6 U.S.C. 592(a)) is amended—

4 (1) in paragraph (1), by inserting before the
5 semicolon at the end the following: “, particularly
6 with respect to potential smuggling routes in land
7 border areas between ports of entry, railcars enter-
8 ing the United States from Canada or Mexico, and
9 private aircraft or small vessels”;

10 (2) by redesignating paragraphs (13) and (14)
11 as paragraphs (14) and (15), respectively;

12 (3) by inserting after paragraph (12) the fol-
13 lowing new paragraph:

14 “(13) develop objectives to be accomplished to
15 carry out this subsection, identify roles and respon-
16 sibilities for meeting such objectives, ensure that the
17 funding necessary to achieve such objectives is avail-
18 able, and employ monitoring mechanisms to deter-
19 mine progress toward achieving such objectives;”;
20 and

21 (4) in paragraph (14), as so redesignated, by
22 striking “paragraphs (10), (11), and (12)” and in-
23 serting “this subsection”.

1 **SEC. 9. PORTABLE RADIATION DETECTORS AND RADIO-**
2 **ACTIVE ISOTOPE IDENTIFICATION DEVICES.**

3 Not later than one year after the date of enactment
4 of this Act, the Secretary of Homeland Security shall de-
5 termine the number of next generation portable radiation
6 detectors (PRD) and radioactive isotope identification de-
7 vices (RIID) required by Border Patrol agents patrolling
8 the southern and northern borders of the United States
9 and procure such detectors and devices.

10 **SEC. 10. STRATEGIC PLAN TO DETECT AND INTERDICT BIO-**
11 **LOGICAL AND CHEMICAL WEAPONS.**

12 (a) IN GENERAL.—

13 (1) DEVELOPMENT.—Not later than one year
14 after the date of enactment of this Act, the Sec-
15 retary of Homeland Security shall develop a stra-
16 tegic plan (in this section referred to as the “Plan”)
17 to detect and interdict biological and chemical weap-
18 ons entering the United States.

19 (2) IMPLEMENTATION.—The Secretary of
20 Homeland Security shall complete implementation of
21 the Plan not later than two years after the develop-
22 ment of the Plan under paragraph (1).

23 (b) REPORTS TO CONGRESS.—

24 (1) INITIAL REPORT.—Not later than one year
25 after the date of the enactment of this Act, the Sec-

1 retary of Homeland Security shall submit to Con-
2 gress a report that describes the Plan.

3 (2) ANNUAL REPORT.—Not later than two
4 years after the submission of the initial report under
5 paragraph (1) and annually thereafter, the Secretary
6 of Homeland Security shall submit reports to Con-
7 gress on the implementation of the Plan.

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