

115TH CONGRESS
1ST SESSION

H. R. 3479

To improve border security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2017

Mr. HURD (for himself, Mr. CUELLAR, Mr. VALADAO, Mr. KNIGHT, Mr. PEARCE, Mr. FITZPATRICK, Mr. ROTHFUS, Mr. GONZALEZ of Texas, and Mr. KATKO) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, 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 improve 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 “Secure Miles with All
5 Resources and Technology Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) COMMISSIONER.—The term “Commis-
 2 sioner” means the Commissioner of U.S. Customs
 3 and Border Protection.

4 (2) HIGH TRAFFIC AREAS.—The term “high
 5 traffic areas” has the meaning given the term in sec-
 6 tion 102(e)(1) of the Illegal Immigration Reform
 7 and Immigrant Responsibility Act of 1996, as
 8 amended by section 102 of this Act.

9 (3) SECRETARY.—The term “Secretary” means
 10 the Secretary of Homeland Security.

11 (4) SITUATIONAL AWARENESS.—The term “sit-
 12 uational awareness” has the meaning given the term
 13 in section 1092(a)(7) of the National Defense Au-
 14 thorization Act for Fiscal Year 2017 (Public Law
 15 114–328).

16 **TITLE I—INFRASTRUCTURE AND** 17 **EQUIPMENT**

18 **SEC. 101. STRENGTHENING THE REQUIREMENTS FOR BOR-** 19 **DER SECURITY TECHNOLOGY ALONG THE** 20 **SOUTHERN BORDER.**

21 Section 102 of the Illegal Immigration Reform and
 22 Immigrant Responsibility Act of 1996 (Division C of Pub-
 23 lic Law 104–208; 8 U.S.C. 1103 note) is amended—

24 (1) in subsection (a)—

1 (A) by inserting “and border technology”
2 before “in the vicinity of”; and

3 (B) by striking “illegal crossings in areas
4 of high illegal entry into the United States” and
5 inserting “, impede, and detect illegal activity in
6 high traffic areas”;

7 (2) in subsection (c)(1), by inserting “and, pur-
8 suant to subsection (d), the installation, operation,
9 and maintenance of technology” after “barriers and
10 roads”; and

11 (3) by adding at the end the following new sub-
12 sections:

13 “(d) INSTALLATION, OPERATION, AND MAINTENANCE OF TECHNOLOGY.—
14

15 “(1) IN GENERAL.—Not later than January 20,
16 2021, the Secretary of Homeland Security, in car-
17 rying out subsection (a), shall deploy the most prac-
18 tical and effective technology available along the
19 United States border for achieving situational
20 awareness and operational control of the border.

21 “(2) TECHNOLOGY DEFINED.—In this subpara-
22 graph, the term ‘technology’ includes border surveil-
23 lance and detection technology, including—

24 “(A) radar surveillance systems;

1 “(B) Vehicle and Dismount Exploitation
2 Radars (VADER);

3 “(C) 3-dimensional, seismic acoustic detec-
4 tion and ranging border tunneling detection
5 technology;

6 “(D) sensors;

7 “(E) unmanned cameras;

8 “(F) man-portable and mobile vehicle-
9 mounted unmanned aerial vehicles; and

10 “(G) any other devices, tools, or systems
11 found to be more effective or advanced than
12 those specified in subparagraphs (A) through
13 (F).

14 “(e) DEFINITIONS.—In this section:

15 “(1) HIGH TRAFFIC AREAS.—The term ‘high
16 traffic areas’ means sectors along the northern,
17 southern, or coastal border that—

18 “(A) are within the responsibility of U.S.
19 Customs and Border Protection; and

20 “(B) have significant unlawful cross-border
21 activity.

22 “(2) SITUATIONAL AWARENESS DEFINED.—The
23 term ‘situational awareness’ has the meaning given
24 the term in section 1092(a)(7) of the National De-

1 fense Authorization Act for Fiscal Year 2017 (Pub-
2 lic Law 114–328).”.

3 **SEC. 102. COMPREHENSIVE SOUTHERN BORDER STRATEGY.**

4 (a) COMPREHENSIVE STRATEGY.—

5 (1) REQUIREMENT.—Not later than 12 months
6 after the date of the enactment of this Act, the Sec-
7 retary shall submit to the Committee on Homeland
8 Security of the House of Representatives and the
9 Committee on Homeland Security and Governmental
10 Affairs of the Senate a comprehensive Southern bor-
11 der strategy.

12 (2) CONTENTS.—The strategy submitted under
13 paragraph (1) shall include—

14 (A) a list of known physical barriers, tech-
15 nologies, tools, and other devices that can be
16 used to achieve and maintain situational aware-
17 ness and operational control (as such term is
18 defined in section 2(b) of the Secure Fence Act
19 of 2006 (8 U.S.C. 1701 note; Public Law 109–
20 367)) along the southern border;

21 (B) a projected per mile cost estimate for
22 each physical barrier, technology, tool, and
23 other device included on the list required under
24 paragraph (1);

1 (C) a detailed account of which type of
2 physical barrier, technology, tool, or other de-
3 vice the Department believes is necessary to
4 achieve and maintain situational awareness and
5 operational control for each liner mile of the
6 southern border;

7 (D) an explanation for why such physical
8 barrier, technology, tool, or other device was
9 chosen to achieve and maintain situational
10 awareness and operational control for each lin-
11 ear mile of the southern border, including—

12 (i) the methodology used to determine
13 which type of physical barrier, technology,
14 tool, or other device was chosen for such
15 linear mile;

16 (ii) an examination of existing man-
17 made and natural barriers for each linear
18 mile of the southern border; and

19 (iii) the information collected and
20 evaluated from—

21 (I) the appropriate U.S. Customs
22 and Border Protection Sector Chief;

23 (II) the Joint Task Force Com-
24 mander;

1 (III) the appropriate State Gov-
2 ernor;

3 (IV) local law enforcement offi-
4 cials;

5 (V) private property owners; and

6 (VI) other affected stakeholders;

7 (E) a per mile cost calculation for each lin-
8 ear mile of the southern border given the type
9 of physical barrier, technology, tool, or other
10 device chosen to achieve and maintain oper-
11 ational control for each linear mile; and

12 (F) a cost justification for each time a
13 more expensive physical barrier, technology,
14 tool, or other device is chosen over a less expen-
15 sive option, as established by the per mile cost
16 estimates required in subparagraph (B).

17 **SEC. 103. ERADICATION OF CARRIZO CANE AND SALT**
18 **CEDAR.**

19 Not later than January 20, 2019, the Secretary, after
20 coordinating with the heads of relevant Federal, State,
21 and local agencies, shall begin eradicating the carrizo cane
22 plant and any salt cedar along the Rio Grande River.

TITLE II—GRANTS

SEC. 201. OPERATION STONEGARDEN.

(a) IN GENERAL.—Subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 601 et seq.) is amended by adding at the end the following new section:

“SEC. 2009. OPERATION STONEGARDEN.

“(a) ESTABLISHMENT.—There is established in the Department a program, which shall be known as ‘Operation Stonegarden’, under which the Secretary, acting through the Administrator, shall make grants to eligible law enforcement agencies, through the State administrative agency, to enhance border security in accordance with this section.

“(b) ELIGIBLE RECIPIENTS.—To be eligible to receive a grant under this section, a law enforcement agency—

“(1) shall be located in—

“(A) a State bordering Canada or Mexico;

or

“(B) a State or territory with a maritime border; and

“(2) shall be involved in an active, ongoing, U.S. Customs and Border Protection operation coordinated through a sector office.

1 “(c) PERMITTED USES.—The recipient of a grant
2 under this section may use such grant for—

3 “(1) equipment, including maintenance and
4 sustainment costs;

5 “(2) personnel, including overtime and backfill,
6 in support of enhanced border law enforcement ac-
7 tivities;

8 “(3) any activity permitted for Operation
9 Stonegarden under the Department of Homeland
10 Security’s Fiscal Year 2017 Homeland Security
11 Grant Program Notice of Funding Opportunity; and

12 “(4) any other appropriate activity, as deter-
13 mined by the Administrator, in consultation with the
14 Commissioner of U.S. Customs and Border Protec-
15 tion.

16 “(d) PERIOD OF PERFORMANCE.—The Secretary
17 shall award grants under this section to grant recipients
18 for a period of not less than 36 months.

19 “(e) REPORT.—For each of the fiscal years 2018
20 through 2022, the Administrator shall submit to the Com-
21 mittee on Homeland Security and Governmental Affairs
22 of the Senate and the Committee on Homeland Security
23 of the House of Representatives a report that contains in-
24 formation on the expenditure of grants made under this
25 section by each grant recipient.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated \$110,000,000 for each
 3 of fiscal years 2018 through 2022 for grants under this
 4 section.”.

5 (b) CONFORMING AMENDMENT.—Subsection (a) of
 6 section 2002 of the Homeland Security Act of 2002 (6
 7 U.S.C. 603) is amended to read as follows:

8 “(a) GRANTS AUTHORIZED.—The Secretary, through
 9 the Administrator, may award grants under sections 2003,
 10 2004, and 2009 to State, local, and tribal governments,
 11 as appropriate.”.

12 (c) CLERICAL AMENDMENT.—The table of contents
 13 in section 1(b) of the Homeland Security Act of 2002 is
 14 amended by inserting after the item relating to section
 15 2008 the following new item:

“Sec. 2009. Operation Stonegarden.”.

16 **SEC. 202. SOUTHERN BORDER REGION EMERGENCY COM-**
 17 **MUNICATIONS GRANT.**

18 (a) IN GENERAL.—The Secretary, in consultation
 19 with the Governors of the States located on the southern
 20 border, shall establish a two-year grant program to im-
 21 prove emergency communications in the southern border
 22 region.

23 (b) ELIGIBILITY FOR GRANTS.—An individual is eli-
 24 gible for a grant under this section if the individual dem-
 25 onstrates that the individual—

1 (1) regularly resides or works in a State on the
2 southern border; and

3 (2) is at greater risk of border violence due to
4 a lack of cellular and LTE network service at the in-
5 dividual's residence or business and the individual's
6 proximity to the southern border.

7 (c) USE OF GRANTS.—Grants awarded under this
8 section may be used to purchase satellite telephone com-
9 munications systems and services that—

10 (1) can provide access to 9–1–1 service; and

11 (2) are equipped with receivers for the Global
12 Positioning System.

○