

Calendar No. 269

114TH CONGRESS
1ST SESSION**S. 1808****[Report No. 114–155]**

To require the Secretary of Homeland Security to conduct a Northern Border threat analysis, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2015

Ms. HEITKAMP (for herself, Ms. AYOTTE, Mr. PETERS, Mr. JOHNSON, and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

OCTOBER 19, 2015

Reported by Mr. JOHNSON, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italics*]**A BILL**

To require the Secretary of Homeland Security to conduct a Northern Border threat analysis, 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 “~~Northern Border Secu-~~
5 ~~rity Review Act~~”.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 ~~(1) APPROPRIATE CONGRESSIONAL COMMIT-~~
4 ~~TEES.—~~The term “appropriate congressional com-
5 mittees” means—

6 ~~(A) the Committee on Homeland Security~~
7 ~~and Governmental Affairs of the Senate;~~

8 ~~(B) the Committee on Appropriations of~~
9 ~~the Senate;~~

10 ~~(C) the Committee on Homeland Security~~
11 ~~of the House of Representatives; and~~

12 ~~(D) the Committee on Appropriations of~~
13 ~~the House of Representatives.~~

14 ~~(2) NORTHERN BORDER.—~~The term “Northern
15 Border” means the land and maritime borders be-
16 tween the United States and Canada.

17 **SEC. 3. NORTHERN BORDER THREAT ANALYSIS.**

18 ~~(a) IN GENERAL.—~~Not later than 180 days after the
19 date of enactment of this Act, the Secretary of Homeland
20 Security shall submit a Northern Border threat analysis
21 to the appropriate congressional committees that in-
22 cludes—

23 ~~(1) current and potential terrorism and crimi-~~
24 ~~nal threats posed by individuals and organized~~
25 ~~groups seeking—~~

1 (A) to enter the United States through the
2 Northern Border; or

3 (B) to exploit border vulnerabilities on the
4 Northern Border;

5 (2) improvements needed at ports of entry
6 along the Northern Border—

7 (A) to prevent terrorists and instruments
8 of terror from entering the United States; and

9 (B) to reduce criminal activity; as meas-
10 ured by the total flow of illegal goods and illicit
11 drugs; related to the Northern Border;

12 (3) improvements needed between ports of entry
13 along the Northern Border, including the maritime
14 borders of the Great Lakes—

15 (A) to prevent terrorists and instruments
16 of terror from entering the United States; and

17 (B) to reduce criminal activity related to
18 the Northern Border; and

19 (4) vulnerabilities in law, policy, cooperation be-
20 tween State, tribal, and local law enforcement, inter-
21 national agreements, or tribal agreements that
22 hinder effective and efficient border security;
23 counter-terrorism, anti-human trafficking efforts,
24 and the flow of legitimate trade along the Northern
25 Border.

1 (b) ANALYSIS REQUIREMENTS.—For the threat anal-
 2 ysis required under subsection (a), the Secretary of Home-
 3 land Security shall consider and examine—

4 (1) technology needs and challenges;

5 (2) personnel needs and challenges;

6 (3) the role of State, tribal, and local law en-
 7 forcement in general border security activities;

8 (4) the need for cooperation among Federal,
 9 State, tribal, local, and Canadian law enforcement
 10 entities relating to border security; and

11 (5) the geographic challenges of the Northern
 12 Border.

13 (c) CLASSIFIED THREAT ANALYSIS.—To the extent
 14 possible, the Secretary of Homeland Security shall submit
 15 the threat analysis required under subsection (a) in un-
 16 classified form. The Secretary may submit a portion of
 17 the threat analysis in classified form if the Secretary de-
 18 termines that such form is appropriate for that portion.

19 **SECTION 1. SHORT TITLE.**

20 *This Act may be cited as the “Northern Border Secu-*
 21 *rity Review Act”.*

22 **SEC. 2. DEFINITIONS.**

23 *In this Act:*

1 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
 2 *TEES.*—*The term “appropriate congressional commit-*
 3 *tees” means—*

4 *(A) the Committee on Homeland Security*
 5 *and Governmental Affairs of the Senate;*

6 *(B) the Committee on Appropriations of the*
 7 *Senate;*

8 *(C) the Committee on Homeland Security of*
 9 *the House of Representatives; and*

10 *(D) the Committee on Appropriations of the*
 11 *House of Representatives.*

12 (2) *NORTHERN BORDER.*—*The term “Northern*
 13 *Border” means the land and maritime borders be-*
 14 *tween the United States and Canada.*

15 **SEC. 3. NORTHERN BORDER THREAT ANALYSIS.**

16 (a) *IN GENERAL.*—*Not later than 180 days after the*
 17 *date of enactment of this Act, the Secretary of Homeland*
 18 *Security shall submit a Northern Border threat analysis to*
 19 *the appropriate congressional committees that includes—*

20 *(1) current and potential terrorism and criminal*
 21 *threats posed by individuals and organized groups*
 22 *seeking—*

23 *(A) to enter the United States through the*
 24 *Northern Border; or*

1 *(B) to exploit border vulnerabilities on the*
2 *Northern Border;*

3 *(2) improvements needed at ports of entry along*
4 *the Northern Border—*

5 *(A) to prevent terrorists and instruments of*
6 *terror from entering the United States; and*

7 *(B) to reduce criminal activity, as meas-*
8 *ured by the total flow of illegal goods, illicit*
9 *drugs, and smuggled and trafficked persons*
10 *moved in either direction across to the Northern*
11 *Border;*

12 *(3) improvements needed between ports of entry*
13 *along the Northern Border, including the maritime*
14 *borders of the Great Lakes—*

15 *(A) to prevent terrorists and instruments of*
16 *terror from entering the United States; and*

17 *(B) to reduce criminal activity, as meas-*
18 *ured by the total flow of illegal goods, illicit*
19 *drugs, and smuggled and trafficked persons*
20 *moved in either direction across the Northern*
21 *Border; and*

22 *(4) vulnerabilities in law, policy, cooperation be-*
23 *tween State, tribal, and local law enforcement, inter-*
24 *national agreements, or tribal agreements that hinder*
25 *effective and efficient border security, counter-ter-*

1 *rorism, anti-human smuggling and trafficking efforts,*
2 *and the flow of legitimate trade along the Northern*
3 *Border.*

4 *(b) ANALYSIS REQUIREMENTS.—For the threat anal-*
5 *ysis required under subsection (a), the Secretary of Home-*
6 *land Security shall consider and examine—*

7 *(1) technology needs and challenges;*

8 *(2) personnel needs and challenges;*

9 *(3) the role of State, tribal, and local law en-*
10 *forcement in general border security activities;*

11 *(4) the need for cooperation among Federal,*
12 *State, tribal, local, and Canadian law enforcement*
13 *entities relating to border security; and*

14 *(5) the geographic challenges of the Northern*
15 *Border.*

16 *(c) CLASSIFIED THREAT ANALYSIS.—To the extent*
17 *possible, the Secretary of Homeland Security shall submit*
18 *the threat analysis required under subsection (a) in unclas-*
19 *sified form. The Secretary may submit a portion of the*
20 *threat analysis in classified form if the Secretary deter-*
21 *mines that such form is appropriate for that portion.*

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