

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 2291

To establish the Northern Border Coordination Center, and
for other purposes.

Referred to the Committee on Homeland Security and
Governmental Affairs of the Senate and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. PETERS

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Northern Border Co-
5 ordination Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) CENTER.—The term “Center” means the
9 Northern Border Coordination Center established
10 pursuant to section 3.

11 (2) DEPARTMENT.—The term “Department”
12 means the Department of Homeland Security.

1 (3) NORTHERN BORDER.—The term “northern
2 border” means the international border between the
3 United States and Canada.

4 (4) SECRETARY.—The term “Secretary” means
5 the Secretary of Homeland Security.

6 **SEC. 3. NORTHERN BORDER COORDINATION CENTER.**

7 (a) ESTABLISHMENT.—Not later than 1 year after
8 the date of the enactment of this Act, the Secretary shall
9 establish the Northern Border Coordination Center.

10 (b) PURPOSE.—The purpose of the Center shall be
11 to serve as the Department’s forward deployed centralized
12 coordination center for operations, domain awareness, in-
13 formation sharing, intelligence, training, and stakeholder
14 engagement with Federal, State, tribal, local, and inter-
15 national government partners along the northern border
16 of the United States. The Center shall be placed along
17 the northern border at a location that is collocated with
18 an existing U.S. Border Patrol sector headquarters, an Air
19 and Marine Operations branch, and a United States Coast
20 Guard air station, and other existing Department activi-
21 ties.

22 (c) COMPONENTS.—

23 (1) IN GENERAL.—The Center shall collocate
24 personnel and activities of—

1 (A) U.S. Customs and Border Protection,
2 including U.S. Border Patrol and Air and Ma-
3 rine Operations;

4 (B) the United States Coast Guard;

5 (C) U.S. Immigration and Customs En-
6 forcement's Homeland Security Investigations;

7 (D) other components and offices of the
8 Department that the Secretary determines to be
9 necessary, including to support the training,
10 technology testing, and development described
11 in subsection (d); and

12 (E) additional Federal, State, tribal, local,
13 and international government partners, as the
14 Secretary determines to be necessary and ap-
15 propriate to support the coordination of oper-
16 ations described in this Act.

17 (d) FUNCTIONS.—The Center shall perform the func-
18 tions described in this subsection in addition to any other
19 functions assigned by the Secretary.

20 (1) NORTHERN BORDER STRATEGY.—The Cen-
21 ter, in collaboration with relevant offices and compo-
22 nents of the Department, shall—

23 (A) serve as a coordination mechanism for
24 operational components for the implementation,

1 evaluation, and updating of the Northern Bor-
2 der Strategy and any successor strategy; and

3 (B) support the development of best prac-
4 tices and policies for personnel at the northern
5 border to support such implementation.

6 (2) TRAINING.—The Center shall serve as a
7 training location to support the delivery of training
8 or exercises for Department personnel and Federal,
9 State, tribal, local, and international government
10 partners.

11 (3) METRICS.—The Center, in collaboration
12 with relevant offices and components of the Depart-
13 ment, shall coordinate the development and tracking
14 of border security metrics for the northern border.

15 (4) RESOURCE AND TECHNOLOGICAL NEEDS
16 AND CHALLENGES.—The Center, in collaboration
17 with relevant offices and components of the Depart-
18 ment, shall—

19 (A) identify resource and technological
20 needs or challenges affecting security along the
21 northern border; and

22 (B) serve as a testing ground and dem-
23 onstration location for the testing of border se-
24 curity technology, including determining such

1 technology's suitability and performance in the
2 northern border and maritime environments.

3 (5) AIR AND MARINE OPERATIONS.—

4 (A) QUICK REACTION CAPABILITIES.—In
5 support of the Center, U.S. Customs and Bor-
6 der Protection's Air and Marine Operations—

7 (i) shall establish and maintain capa-
8 bility that is collocated with the Center
9 and available for quick deployment in sup-
10 port of the northern border missions, U.S.
11 Customs and Border Protection, and the
12 Department, including missions in the
13 Great Lakes region; and

14 (ii) in coordination with the Center
15 and relevant offices and components of the
16 Department, shall evaluate requirements
17 and make recommendations to support the
18 operations of large unmanned aircraft sys-
19 tems based at the Center.

20 (B) NORTHERN BORDER DOMAIN AWARE-
21 NESS.—In order to coordinate with the Center
22 and support its operations, the Air and Marine
23 Operations Center shall collocate personnel and
24 resources with the Center to enhance the De-
25 partment's capabilities to—

1 (i) support air and maritime domain
2 awareness and information sharing efforts
3 along the northern border;

4 (ii) provide dedicated monitoring of
5 northern border systems; and

6 (iii) lead, in coordination with other
7 U.S. Customs and Border Protection com-
8 ponents, Federal, State, tribal, local, and
9 international governments, and private sec-
10 tor partners, the Center's efforts to track
11 and monitor legitimate cross-border traffic
12 involving unmanned aircraft and un-
13 manned aircraft systems.

14 (6) COUNTER-UNMANNED AIRCRAFT SYS-
15 TEMS.—Pursuant to policies established by the Sec-
16 retary, the Center shall support counter-unmanned
17 aircraft systems operations along the northern bor-
18 der to respond to the increased use of unmanned
19 aircraft systems. Such support may involve develop-
20 ment, testing, and evaluation of technologies.

21 (7) PRIVACY AND CIVIL RIGHTS.—The Center,
22 in collaboration with the Chief Privacy Officer and
23 the Office for Civil Rights and Civil Liberties of the
24 Department, shall ensure that operations and prac-
25 tices of the Center comply with the privacy and civil

1 rights policies of the Department and its compo-
2 nents.

3 (e) ANNUAL REPORTING.—Not later than 180 days
4 after the establishment of the Center, and annually there-
5 after, the Secretary shall submit a report to the Com-
6 mittee on Homeland Security and Governmental Affairs
7 of the Senate and the Committee on Homeland Security
8 of the House of Representatives that describes the activi-
9 ties of the Center during the most recently concluded fis-
10 cal year, including—

11 (1) personnel levels;

12 (2) additional resources that are needed to sup-
13 port the operations of the Center and northern bor-
14 der operations of the Department; and

15 (3) any additional assets or authorities that are
16 needed to increase security and domain awareness
17 along the northern border.

18 (f) TEMPORARY DUTY ASSIGNMENTS.—The Sec-
19 retary shall submit a quarterly report to the Committee
20 on Homeland Security and Governmental Affairs of the
21 Senate and the Committee on Homeland Security of the
22 House of Representatives regarding temporary duty as-
23 signments of U.S. Border Patrol agents during the report-
24 ing period, including—

1 (1) the number of agents on temporary duty as-
2 signment;

3 (2) the duration of the temporary duty assign-
4 ment; and

5 (3) the sectors from which the agents were as-
6 signed.

7 (g) RULE OF CONSTRUCTION.—The Center estab-
8 lished pursuant to subsection (a) shall be established sepa-
9 rate and distinct from the Secretary’s authorities under
10 section 708 of the Homeland Security Act of 2002 (6
11 U.S.C. 348).