

AMENDMENT NO. _____ Calendar No. _____

Purpose: To require the Secretary of Homeland Security to conduct a Northern Border threat analysis.

IN THE SENATE OF THE UNITED STATES—114th Cong., 2d Sess.

S. _____

To amend the Homeland Security Act of 2002 to reform, streamline, and make improvements to the Department of Homeland Security and support the Department's efforts to implement better policy, planning, management, and performance, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Ms. HEITKAMP (for herself and Ms. AYOTTE)

Viz:

1 At the appropriate place in title III, insert the fol-
2 lowing:

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

4 (a) DEFINITIONS.—In this section:

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

8 (A) the Committee on Homeland Security
9 and Governmental Affairs of the Senate;

1 (B) the Committee on Appropriations of
2 the Senate;

3 (C) the Committee on the Judiciary of the
4 Senate;

5 (D) the Committee on Homeland Security
6 of the House of Representatives;

7 (E) the Committee on Appropriations of
8 the House of Representatives; and

9 (F) the Committee on the Judiciary of the
10 House of Representatives.

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

14 (b) IN GENERAL.—Not later than 180 days after the
15 date of the enactment of this Act, the Secretary of Home-
16 land Security shall submit to the appropriate congres-
17 sional committees a Northern Border threat analysis that
18 includes—

19 (1) current and potential terrorism and crimi-
20 nal threats posed by individuals and organized
21 groups seeking—

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

24 (B) to exploit border vulnerabilities on the
25 Northern Border;

1 (2) improvements needed at and between ports
2 of entry along the Northern Border—

3 (A) to prevent terrorists and instruments
4 of terrorism from entering the United States;
5 and

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

11 (3) gaps in law, policy, cooperation between
12 State, tribal, and local law enforcement, inter-
13 national agreements, or tribal agreements that
14 hinder effective and efficient border security,
15 counter-terrorism, anti-human smuggling and traf-
16 ficking efforts, and the flow of legitimate trade along
17 the Northern Border; and

18 (4) whether additional U.S. Customs and Bor-
19 der Protection preclearance and preinspection oper-
20 ations at ports of entry along the Northern Border
21 could help prevent terrorists and instruments of ter-
22 ror from entering the United States.

23 (c) ANALYSIS REQUIREMENTS.—For the threat anal-
24 ysis required under subsection (b), the Secretary of Home-
25 land Security shall consider and examine—

1 (1) technology needs and challenges;

2 (2) personnel needs and challenges;

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

5 (4) the need for cooperation among Federal,
6 State, tribal, local, and Canadian law enforcement
7 entities relating to border security;

8 (5) the terrain, population density, and climate
9 along the Northern Border; and

10 (6) the needs and challenges of Department of
11 Homeland Security facilities, including the physical
12 approaches to such facilities.

13 (d) CLASSIFIED THREAT ANALYSIS.—To the extent
14 possible, the Secretary of Homeland Security shall submit
15 the threat analysis required under subsection (b) 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.