

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. 1808

To require the Secretary of Homeland Security to conduct a Northern Border threat analysis, 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 IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Ms. HEITKAMP

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 Secu-
5 rity Review Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

11 (A) the Committee on Homeland Security
12 and Governmental Affairs of the Senate;

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

3 (C) the Committee on Homeland Security
4 of the House of Representatives; and

5 (D) the Committee on Appropriations of
6 the House of Representatives.

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

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

11 (a) IN GENERAL.—Not later than 180 days after the
12 date of enactment of this Act, the Secretary of Homeland
13 Security shall submit a Northern Border threat analysis
14 to the appropriate congressional committees that in-
15 cludes—

16 (1) current and potential terrorism and crimi-
17 nal threats posed by individuals and organized
18 groups seeking—

19 (A) to enter the United States through the
20 Northern Border; or

21 (B) to exploit border vulnerabilities on the
22 Northern Border;

23 (2) improvements needed at ports of entry
24 along the Northern Border—

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

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

8 (3) improvements needed between ports of entry
9 along the Northern Border, including the maritime
10 borders of the Great Lakes—

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

13 (B) to reduce criminal activity, as meas-
14 ured by the total flow of illegal goods, illicit
15 drugs, and smuggled and trafficked persons
16 moved in either direction across the Northern
17 Border; and

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