

118TH CONGRESS  
2D SESSION

# H. R. 9682

To mitigate environmental degradation and wildland fires caused by illegal immigration along the southern border of the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2024

Mr. CALVERT introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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

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## A BILL

To mitigate environmental degradation and wildland fires caused by illegal immigration along the southern border of the United States, 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 “Ending Major Border-  
5 land Environmental Ruin from Wildfires (EMBER) Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

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

4                   (A) the Committees on Natural Resources,  
5                   Agriculture, Homeland Security, and the Judi-  
6                   ciary of the House of Representatives; and

7                   (B) the Committees on Energy and Nat-  
8                   ural Resources, Agriculture, Nutrition, and  
9                   Forestry, Homeland Security and Governmental  
10                  Affairs, and the Judiciary of the Senate.

11           (2) BORDER STATE.—The term “Border State”  
12           means a State that abuts the southern border.

13           (3) COVERED FEDERAL LANDS.—

14                   (A) IN GENERAL.—The term “covered  
15                   Federal lands” means land—

16                           (i) owned by the United States;

17                           (ii) located in a unit that shares an  
18                           exterior boundary with the southern bor-  
19                           der; and

20                           (iii) administered by—

21                                   (I) the National Park Service;

22                                   (II) the Bureau of Land Manage-  
23                                   ment;

24                                   (III) the United States Fish and  
25                                   Wildlife Service;

1 (IV) the Bureau of Reclamation;  
2 or  
3 (V) the Forest Service.

4 (B) EXCLUSION.—The term “covered Fed-  
5 eral lands” does not include Federal lands held  
6 in trust for Indian Tribes.

7 (4) OPERATIONAL CONTROL.—The term “oper-  
8 ational control” has the meaning given such term in  
9 section 2(b) of the Secure Fence Act of 2006 (8  
10 U.S.C. 1701 note; Public Law 109–367).

11 (5) SECRETARY CONCERNED.—The term “Sec-  
12 retary concerned” means—

13 (A) the Secretary of the Interior, with re-  
14 spect to lands under the jurisdiction of the Sec-  
15 retary of the Interior; and

16 (B) the Secretary of Agriculture, acting  
17 through the Chief of the Forest Service, with  
18 respect to National Forest System lands.

19 (6) SOUTHERN BORDER.—The term “southern  
20 border” means the international border between the  
21 United States and Mexico.

22 **SEC. 3. SOUTHERN BORDER FUELS MANAGEMENT INITIA-**  
23 **TIVE.**

24 (a) ESTABLISHMENT.—Not later than 1 year after  
25 the date of the enactment of this Act, the Secretary of

1 the Interior shall establish a program to be known as the  
2 “Southern Border Fuels Management Initiative” (in this  
3 section referred to as the “Initiative”).

4 (b) PURPOSE.—The purpose of the Initiative is to  
5 carry out vegetation management activities along the  
6 southern border in order to—

7 (1) reduce the risk of catastrophic wildfire  
8 along the southern border and improve landscape re-  
9 silience;

10 (2) improve operational control of the southern  
11 border; and

12 (3) improve visibility and sight lines along the  
13 southern border to increase safety for law enforce-  
14 ment.

15 (c) ACTIVITIES.—In carrying out the Initiative, the  
16 Secretary shall—

17 (1) reduce hazardous fuels along the southern  
18 border;

19 (2) address invasive or non-native species along  
20 the southern border that contribute to wildfire risk  
21 or decrease operation efficiency of border patrol op-  
22 erations;

23 (3) install fuel breaks along the southern bor-  
24 der; and

1           (4) set targets for acres to treat under the pro-  
2           gram for each fiscal year.

3           (d) COORDINATION.—In carrying out the Initiative,  
4 the Secretary shall coordinate and may enter into memo-  
5 randums of understanding with the Forest Service, U.S.  
6 Border Patrol, and State, local, or Tribal law enforcement  
7 agencies.

8           (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
9 authorized to be appropriated to the Secretary of the Inte-  
10 rior to carry out this section \$3,660,000 for each of fiscal  
11 years 2025 through 2031.

12          (f) TERMINATION.—The Initiative shall terminate 7  
13 years after the date of the enactment of this Act.

14 **SEC. 4. MITIGATING ENVIRONMENTAL DEGRADATION AND**  
15 **WILDLAND FIRES CAUSED BY ILLEGAL IMMI-**  
16 **GRATION.**

17          (a) IN GENERAL.—Not later than 90 days after the  
18 date of the enactment of this Act, the Secretary concerned,  
19 in coordination with the Secretary of Homeland Security,  
20 shall establish and implement policies and protocols to  
21 mitigate, avoid, or prevent—

22               (1) wildland fires ignited by aliens without law-  
23               ful immigration status; and

1           (2) environmental degradation on covered Fed-  
2           eral lands caused by aliens without lawful immigra-  
3           tion status crossing the southern border.

4           (b) PROTOCOLS.—In developing the protocols under  
5           subsection (a), the Secretary concerned shall consider poli-  
6           cies to—

7           (1) reduce trash accumulation along the south-  
8           ern border, particularly in ecologically sensitive  
9           areas;

10          (2) prevent the ignition of wildland fires by  
11          aliens without lawful immigration status, particu-  
12          larly in areas where there is a risk of—

13                   (A) loss of life or property;

14                   (B) damage to critical wildlife habitat;

15                   (C) damage to public infrastructure; and

16                   (D) degradation of watersheds or public  
17          water sources;

18          (3) address the destruction of sensitive natural  
19          and archeological resources; and

20          (4) address the destruction of wildlife habitat.

21          (c) REPORT TO CONGRESS.—Not later than 1 year  
22          after the date of the enactment of this Act, the Secretary  
23          concerned shall submit to the appropriate congressional  
24          committees a report that includes—

1           (1) a description of the policies and protocols  
2 established under subsection (a);

3           (2) a catalog of all reported incidents of envi-  
4 ronmental degradation and wildland fires ignited by  
5 aliens without lawful immigration status, includ-  
6 ing—

7                   (A) the number of acres burned and total  
8 number of fires ignited;

9                   (B) a description of each incident of envi-  
10 ronmental degradation and the total number of  
11 such incidents;

12                   (C) the estimated cost of cleaning up or re-  
13 mediating such environmental degradation;

14                   (D) the number of such aliens connected to  
15 each fire and whether or not they were appre-  
16 hended; and

17                   (E) the area in which incidents of environ-  
18 mental degradation occurred, including areas  
19 congressionally designated for the protection of  
20 natural resources; and

21           (3) additional resources or authorities necessary  
22 to mitigate, avoid, or prevent wildland fires and en-  
23 vironmental degradation caused by aliens without  
24 lawful immigration status crossing the southern bor-  
25 der.

1 (d) UPDATED REPORT.—

2 (1) IN GENERAL.—Not later than 2 years after  
3 the date of the enactment of this Act, the Comp-  
4 troller General of the United States shall update its  
5 November 2011 report entitled “Federal Agencies  
6 Could Better Utilize Law Enforcement Resources in  
7 Support of Wildland Fire Management Activities”.

8 (2) ADDITIONAL STATES CONSIDERED.—In up-  
9 dating the report under paragraph (1), the Comp-  
10 troller General shall include information on each  
11 Border State.

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