

Calendar No. 684118TH CONGRESS
2^D SESSION**S. 5092****[Report No. 118–281]**

To amend the Northern Border Security Review Act to require updates to the northern border threat analysis and northern border strategy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2024

Ms. HASSAN (for herself, Mr. CRAMER, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 9, 2024

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Northern Border Security Review Act to require updates to the northern border threat analysis and northern border strategy, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Northern Border Security Enhancement and Review Act”.

4 **SEC. 2. NORTHERN BORDER THREAT ANALYSIS AND**
5 **STRATEGY.**

6 (a) **NORTHERN BORDER THREAT ANALYSIS.**—Section 3(a) of the Northern Border Security Review Act
7 (Public Law 114–267) is amended—

9 (1) in the matter preceding paragraph (1), by
10 striking “180 days after the date of enactment of
11 this Act” and inserting “September 2, 2025, and
12 annually thereafter”;

13 (2) by redesignating paragraphs (2) and (3) as
14 paragraphs (3) and (4), respectively; and

15 (3) by inserting after paragraph (1) the fol-
16 lowing:

17 “(2) an assessment of recent changes in the
18 amount and demographics of apprehensions at the
19 northern border, including an analysis of apprehen-
20 sion changes at the sector level.”.

21 (b) **NORTHERN BORDER STRATEGY UPDATES.**—Section 3 of the Northern Border Security Review Act (Public
22 Law 114–267) is amended—

24 (1) by redesignating subsection (e) as sub-
25 section (d); and

1 (2) by inserting after subsection (b) the fol-
 2 lowing:

3 “(e) NORTHERN BORDER STRATEGY UPDATES.—

4 Not later than 90 days after the submission of each threat
 5 analysis pursuant to subsection (a), the Secretary of
 6 Homeland Security shall—

7 “(1) update the Department of Homeland Secu-
 8 rity’s northern border strategy; or

9 “(2) if the Secretary determines no such update
 10 is necessary, submit a report to the appropriate con-
 11 gressional committees justifying such determina-
 12 tion.”.

13 (c) CLASSIFIED BRIEFINGS.—Section 3 of the North-
 14 ern Border Security Review Act, as amended by sub-
 15 section (b), is further amended by adding at the end the
 16 following:

17 “(e) CLASSIFIED BRIEFINGS.—Not later than 30
 18 days after the submission of each threat analysis pursuant
 19 to subsection (a), the Secretary of Homeland Security
 20 shall provide a classified briefing regarding such analysis
 21 to the appropriate congressional committees.”.

22 (d) IMPLEMENTATION OF CERTAIN GOVERNMENT
 23 ACCOUNTABILITY OFFICE RECOMMENDATIONS.—Not
 24 later than 6 months after the date of the enactment of
 25 this Act, the Secretary of Homeland Security, acting

1 through the Executive Assistant Commissioner of Air and
 2 Marine Operations of U.S. Customs and Border Protec-
 3 tion, shall develop performance measures to assess the ef-
 4 fectiveness of Air and Marine Operations at securing the
 5 northern border between ports of entry in the air and mar-
 6 itime environments.

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Northern Border Secu-*
 9 *rity Enhancement and Review Act”.*

10 **SEC. 2. NORTHERN BORDER THREAT ANALYSIS AND STRAT-**
 11 **EGY.**

12 *(a) NORTHERN BORDER THREAT ANALYSIS.—Section*
 13 *3(a) of the Northern Border Security Review Act (Public*
 14 *Law 114–267) is amended—*

15 *(1) in the matter preceding paragraph (1), by*
 16 *striking “180 days after the date of enactment of this*
 17 *Act” and inserting “September 2, 2025, and every 3*
 18 *years thereafter”;*

19 *(2) by redesignating paragraphs (2), (3), and (4)*
 20 *as paragraphs (3), (4), and (5), respectively; and*

21 *(3) by inserting after paragraph (1) the fol-*
 22 *lowing:*

23 *“(2) an assessment of recent changes in the*
 24 *amount and demographics of apprehensions at the*

1 *northern border, including an analysis of apprehen-*
2 *sion changes at the sector level.”.*

3 *(b) NORTHERN BORDER STRATEGY UPDATES.—Sec-*
4 *tion 3 of the Northern Border Security Review Act (Public*
5 *Law 114–267) is amended—*

6 *(1) by redesignating subsection (c) as subsection*
7 *(d); and*

8 *(2) by inserting after subsection (b) the fol-*
9 *lowing:*

10 *“(c) NORTHERN BORDER STRATEGY UPDATES.—The*
11 *Secretary of Homeland Security shall update the Depart-*
12 *ment of Homeland Security’s northern border strategy not*
13 *later than September 2, 2026, and not later than every 5*
14 *years thereafter, and shall incorporate the results of the*
15 *most recent threat analysis in each such update.”.*

16 *(c) CLASSIFIED BRIEFINGS.—Section 3 of the North-*
17 *ern Border Security Review Act, as amended by subsection*
18 *(b), is further amended by adding at the end the following:*

19 *“(e) CLASSIFIED BRIEFINGS.—Not later than 30 days*
20 *after the submission of each threat analysis pursuant to*
21 *subsection (a), the Secretary of Homeland Security shall*
22 *provide a classified briefing regarding such analysis to the*
23 *appropriate congressional committees.”.*

24 *(d) IMPLEMENTATION OF CERTAIN GOVERNMENT AC-*
25 *COUNTABILITY OFFICE RECOMMENDATIONS.—Not later*

1 *than 180 days after the date of the enactment of this Act,*
2 *the Secretary of Homeland Security, acting through the Ex-*
3 *ecutive Assistant Commissioner of Air and Marine Oper-*
4 *ations of U.S. Customs and Border Protection, shall develop*
5 *performance measures to assess the effectiveness of Air and*
6 *Marine Operations at securing the northern border between*
7 *ports of entry in the air and maritime environments.*

8 **SEC. 3. NO ADDITIONAL FUNDS.**

9 *No additional funds are authorized to be appropriated*
10 *for the purpose of carrying out this Act.*

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