

 Official website of the Department of Homeland Security

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U.S. Customs and
Border Protection
(/)

DHS Issues Waiver to Expedite Border Wall Project in Rio Grande Valley

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WASHINGTON – The Department of Homeland Security (DHS) has issued a waiver, which will ensure expeditious construction of approximately 3 miles of new border wall system located west of Roma near Frontera in U.S. Border Patrol’s Rio Grande Valley (RGV) Sector, Rio Grande City area of responsibility, in Starr County, Texas.

The waiver was published in the Federal Register on July 1, 2019. U.S. Customs and Border Protection (CBP), in partnership with the U.S. Army Corps of Engineers (USACE), will begin construction as early as September 2019. The contract for this project was awarded on May 28, 2019 to Kiewit Infrastructure West Co. for the amount of \$42,860,000 and includes the construction of 18-30 foot tall steel bollards, in addition to road construction, detection technology and lighting installation.

This project is funded by CBP’s Fiscal Year 2019 (FY19) Appropriation. It is not a project undertaken pursuant to the National Emergency Declaration, 10 U.S.C § 284, 10 U.S.C. § 2808, nor does it draw from any other source of funding, including appropriations available to the Department of Defense (DoD).

Based on language in the FY19 CBP appropriation, border wall construction for this project will not take place at the Santa Ana National Wildlife Refuge, La Lomita Historical Park, Bentsen-Rio Grande Valley State Park, within or east of the Vista del Mar Ranch tract of the Lower Rio Grande Valley National Wildlife Refuge, or the National Butterfly Center.

This waiver is pursuant to authority granted to the Secretary of Homeland Security by Congress and covers a variety of environmental, natural resource, and land management laws. Congress provided the Secretary of Homeland Security with a number of authorities necessary to carry out DHS’s border security mission. Section 102(a) of IIRIRA provides that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads in the vicinity of the United States border to deter illegal crossings in areas of high illegal entry into the United States.

In Section 102(b) of IIRIRA, Congress mandated the installation of additional fencing, barriers, roads, lighting, cameras, and sensors on the southwest border. Finally, in Section 102(c) of IIRIRA, Congress granted to the Secretary of Homeland Security the authority to waive all legal requirements that the Secretary, in the Secretary's sole discretion, determines necessary to ensure the expeditious construction of the barriers and roads authorized by Section 102 of IIRIRA.

The geographic scope of this waiver covers the area(s) defined below. This project will total approximately 3 miles of new border wall system located within this area.

1. Starting at the southernmost boundary of the Arroyo Ramirez Tract of the Lower Rio Grande Valley National Wildlife Refuge and extending north to County Road 650; and
2. Starting approximately one-tenth (.10) of a mile north of the northernmost boundary of the Las Ruinas Tract of the Lower Rio Grande Valley National Wildlife Refuge and extending to approximately one and one-half (1.5) miles south and east of the southernmost boundary of the Las Ruinas Tract of the Lower Rio Grande Valley National Wildlife Refuge

While the waiver eliminates DHS' obligation to comply with various laws with respect to covered projects, DHS remains committed to environmental stewardship. DHS has been coordinating and consulting, and intends to continue doing so, with other federal and state resource agencies and other interested stakeholders to ensure that impacts to the environment, wildlife, and cultural and historic resources are analyzed and minimized, to the greatest extent possible.

RGV is the busiest sector in the nation and accounts for more than 40% of the illegal alien apprehensions, more than 43% of the seized marijuana in the southwest border for the fiscal year to date, and is second in seized cocaine. RGV accounts for a large percentage of the southwest border illegal alien apprehensions and narcotic seizures and the majority of its activity is occurring in areas where RGV has limited infrastructure, access and mobility, and technology.

CBP continues to implement President Trump's Executive Order 13767 – also known as Border Security and Immigration Enforcement Improvements – taking steps to expeditiously plan, design, and construct a physical wall using appropriate materials and technology to most effectively achieve operational control of the southern border.

U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between official ports of entry. CBP is charged with securing the borders of the United States while enforcing hundreds of laws and facilitating lawful trade and travel.

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Tags: Border Wall, U.S. Border Patrol

