



DHS Exercises Waiver Authority to Expedite Advancements in Border Security

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[All Segments Project Area - Final \(PDF, 4 pages - 34 KB\)](#)
[All Segments Waiver - Signed \(PDF, 5 pages - 1.5 MB\)](#)
[Hidalgo Waiver Project Area - Final \(PDF, 1 page - 19 KB\)](#)
[Hidalgo Fence Waiver - Signed \(PDF, 4 pages - 1.2 MB\)](#)

The U.S. Department of Homeland Security announced today its intent to issue two waivers of certain laws to expedite security improvements at the southwest border. Congress gave the Secretary of Homeland Security authority to waive all legal requirements necessary to expeditiously install additional physical barriers and roads at the border to deter illegal activity.

"Criminal activity at the border does not stop for endless debate or protracted litigation," said Homeland Security Secretary Michael Chertoff. "Congress and the American public have been adamant that they want and expect border security. We're serious about delivering it, and these waivers will enable important security projects to keep moving forward. At the same time, we value the need for public input on any potential impact of our border infrastructure plans on the environment – and we will continue to solicit it."

One waiver applies to certain environmental and land management laws for various project areas in Calif., Ariz., N.M., and Texas, encompassing roughly 470 total miles. It will facilitate additional pedestrian and vehicle fence construction, towers, sensors, cameras, detection equipment, and roads in the vicinity of the border.

A separate waiver was signed for the levee-border barrier project in Hidalgo County, Texas. This roughly 22-mile project will strengthen flood protection in the area while providing the Border Patrol with important tactical infrastructure. In addition to environmental and land management laws, this waiver addresses other legal and administrative impediments to completing this project by the end of the calendar year.

A substantial portion of the project areas addressed by these waivers have already undergone environmental reviews. In those areas where environmental reviews have not yet occurred, the department will conduct a review before any major construction begins. The department remains deeply committed to environmental responsibility, and will continue to work closely with the Department of Interior and other federal and state resources management agencies to ensure impacts to the environment, wildlife, and cultural and historic artifacts are analyzed and minimized.

The department also places a high priority on interaction with, and feedback from, local officials, landowners and community members about border infrastructure project plans. Since May 2007, more than 600 individual landowners have been contacted and over 100 meetings with local officials, public open houses and town halls have been held along the southwest border.

The department has used its discretionary waiver authority on three previous occasions. Certain environmental restrictions were waived on Sept. 13, 2005 to complete a roughly 14-mile stretch of fencing, as part of the Border Infrastructure System, near San Diego, California. A second waiver of environmental restrictions was used for additional border infrastructure near the Barry M. Goldwater Range in southern Arizona on Jan. 12, 2007. A third waiver of environmental restrictions was issued on Oct. 26, 2007, allowing the construction of border infrastructure to move forward near the San Pedro National Riparian Conservation Area in southern Arizona.

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