

CBP Enterprise Services

Office of Facilities and Asset Management

Overview of the Fence: Way Forward Discussion



U.S. Customs and
Border Protection



¹
January 23, 2017



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Overview

- Section I: Background: Fence Program
- Section II: USBP Initial Priority Requirements and Implementation Approach
- Section III: Additional Key Considerations
- Appendix A: Sector Level Maps



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Qualification of Fence Needs

- While tactical fencing provides a persistent method to impede illegal cross-border activity, it is not the only solution to mitigate capability gaps. Rather it is one element of a system inclusive of material and non-material solutions.
- These material solutions include tactical infrastructure, fences and other physical barriers, tactical and permanent checkpoints, all-weather roads to gain border access, lighting and surveillance technology (i.e., [REDACTED] (b) (7)(E) [REDACTED] and staffing enhancements that makes up the U.S. Border Patrol's (USBP) multi-layered approach to national security. These not only serve as force-multipliers, but also greatly enhance officer safety.
- These solutions not only serve as force-multipliers, but also greatly enhance officer safety. Non-material solutions include training, common sense policy, and modifications to enforcement postures, which are all part of the full-spectrum requirement solutions.
- All efforts are geared towards attaining maximum situational awareness and operational efficiency while creating a safer environment for our agents.



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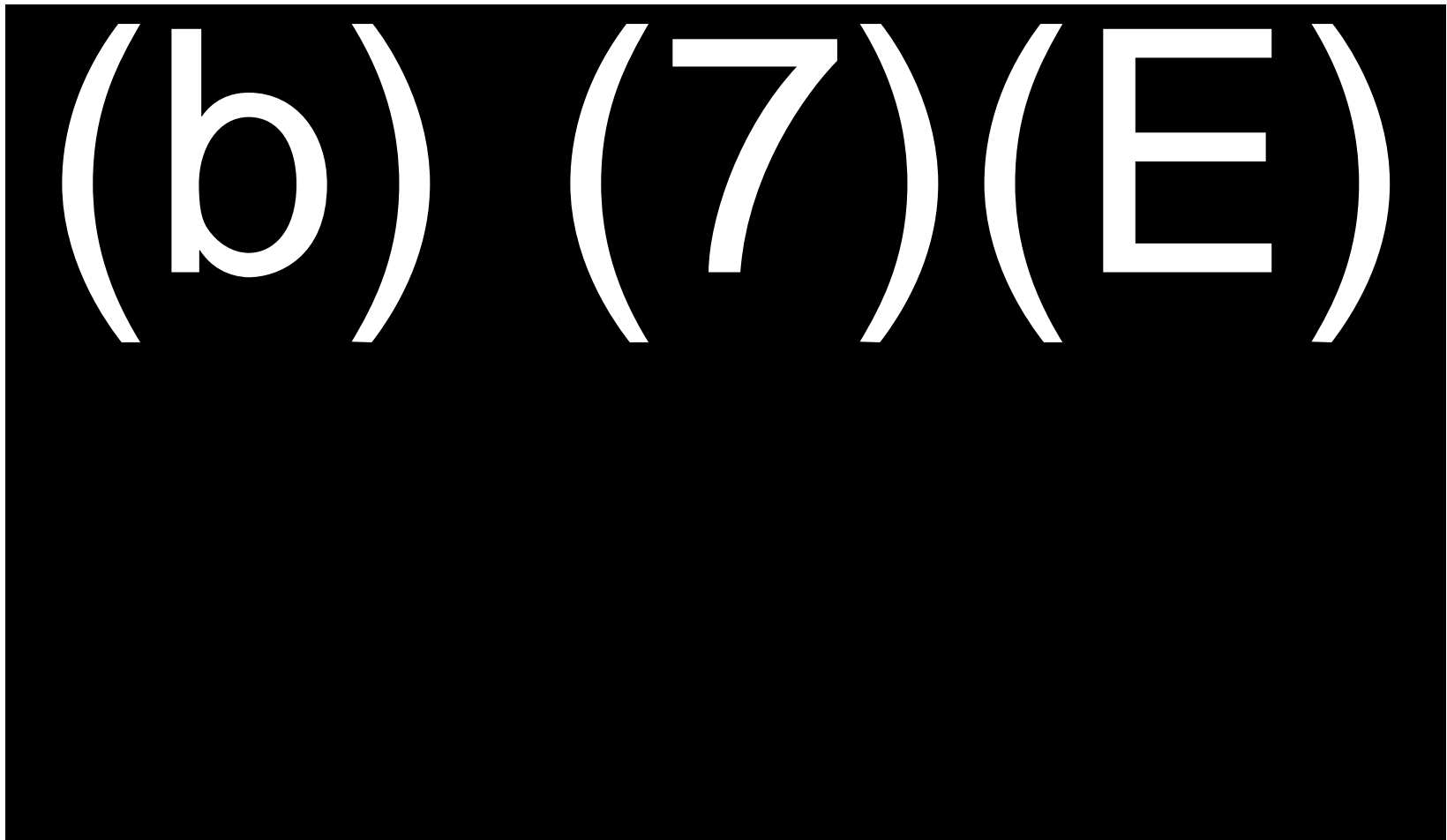
Section I: Background: Fence Program




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Background: Map of Existing Fence



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Please note that numbers may not add up due to rounding. Fence mileage is tracked to the thousandth decimal place.

BW8 FOIA CBP 000064



Background: A Foundation on Which to Build Fence

- As a part of the Secure Fence Act, CBP was tasked with hundreds miles of “two layer” fencing along specific segments of the southwest border.
- In December of 2007, Congress repealed the fencing requirements in the Secure Fence Act (SFA). Congress replaced the SFA fence requirements, with a more flexible statutory scheme--section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA).
- Section 102 of IIRIRA calls for “not less than 700 miles” of fence on the southwest border, including certain “priority miles” of fencing to be constructed by December 31, 2008.
- At the same time, Section 102 of IIRIRA provides the Secretary with substantial discretion



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Background: A Foundation on Which to Build Fence

- After assessing Border Patrol's operation needs, CBP constructed hundreds of miles of new fencing along the southwest border, including the "priority miles" called for under Section 102(b).
- To date, CBP has deployed 654 miles of fencing along the southwest border, the majority of which were deployed between 2008 and 2009.
- Given the Secretary's broad discretion under Section 102(b), this is consistent with the statutory requirement.
 - In 2011, the State of Arizona sought a judicial order mandating that CBP construct 700 miles of fence. However, the United States District Court dismissed the State's request, stating, "While the construction of the fencing and infrastructure improvements may be phrased in mandatory language, the IIRIRA and the Appropriations Acts leave the Secretary and the DHS with a great deal of discretion in deciding how, when and where to complete the construction."
- Having completed hundreds of miles of new fence as of 2009, and given that Congress was not appropriating large sums for new fence construction, past Administrations and Secretaries focused on maintaining the existing fence and deploying other types of border infrastructure, e.g., towers and (b) (7)(E)
- CBP continues to assess operational needs, and where Border Patrol identifies and operational need for fence, CBP has the statutory authority, assuming sufficient funding from Congress, to construct new fence.





Background: A Foundation on Which to Build Fence

- Institutional Knowledge:

- CBP's Border Patrol and Air and Marine Program Management Office (BPAM PMO), which is a part of CBP's Office of Facilities and Asset Management (OFAM), has individuals within its leadership ranks who possess critical institutional knowledge concerning the construction of border infrastructure, including border fencing.
- Key individuals from the BPAM PMO have managed or overseen previous fence projects, including the Pedestrian Fence 70 (P70), Pedestrian Fence 225 (PF225) and Vehicle Fence 300 (VF300) initiatives, through which CBP constructed hundreds of miles of new fencing between 2007 and 2009.
- Several senior managers in CBP (i.e., Office of Chief Counsel [OCC], Procurement), in addition to the BPAM PMO Director and U.S. Army Corps of Engineers (USACE) personnel, and subject matter experts in areas such as engineering, design, real estate, environmental specialists, and analysts, who were a part of prior fence construction projects, including P70, PF225 and VF300, are still associated with the BPAM PMO and will be a part of any new fence program.



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Background: A Foundation on Which to Build Fence

- Collaborative Inter-agency Partnerships:
 - OFAM/BPAM PMO senior leadership developed and continues to develop strong, collaborate, inter-agency partnerships with the US Army Corps of Engineers (USACE), the Department of Justice (DOJ), International Boundary and Water Commission (IBWC), and other federal, state, and local agencies. These partnerships enable and position the agency to execute CBP's USBP border infrastructure requirements.
- Facilities and Tactical Infrastructure (FITT) Tracking Tool:
 - CBP and USACE developed a communication and project management tool, FITT, that serves as a communication tool between CBP and its executing agencies.
 - This tool allows the project team to plan and track project execution including schedule and budget, status and risks, and integrates real estate and environmental clearance requirements.
 - The system integrates project information, real estate and environmental clearance status, and the USBP asset inventory into a geospatial representation.
 - The tool's capabilities enable CBP to track detailed, immediate milestone progress for any fence construction requirements.





Background: A Foundation on Which to Build Fence

- Costs:
 - The foundation for CBP cost per mile for primary fence construction costs is based on average costs associated with the construction of PF225 fence.
 - Current estimates have been updated to include the cost of real estate acquisition and additional potential risks and costs associated with building a wall.
 - In 2008, the estimated cost for the wall in (b) (7)(E) was approximately (b) (5) per mile. However, due to significant site adaptations resulting from building in a flood plain and to meet IBWC requirements, the estimated ROM costs have increased to (b) (5) a mile.
 - These estimates do not account for future market fluctuations (e.g. increased fuel costs, labor, raw materials) that will increase cost to construct.
- Primary Pedestrian Fence: Approximate range is (b) (5) per mile
 - Average of (b) (5) for real estate and environmental planning, construction and construction oversight
 - (b) (5)/mile for mileage in (b) (5)
 - (b) (5)/mile for mileage in (b) (5)
 - (b) (5) mile for environmental mitigation
 - (b) (5) mile for real estate acquisition
 - (b) (5) mile for staffing increases required to support the program





Background: A Foundation on Which to Build Fence

- Secondary Pedestrian Fence: Approximate range is **(b) (5)** per mile
 - Average of **(b) (5)**/mile for real estate and environmental planning, construction and construction oversight – also include **(b) (5)**/mile for road between layers of fence
 - **(b) (5)** mile for environmental mitigation
 - **(b) (5)** mile for real estate acquisition
 - **(b) (5)** mile for staffing increases required to support the program
- Vehicle Fence: Approximate range is \$ **(b) (5)** per mile
 - Average of **(b) (5)**/mile for real estate and environmental planning, construction and construction oversight.
 - **(b) (5)** mile for environmental mitigation
 - **(b) (5)** mile for real estate acquisition
 - **(b) (5)** mile for staffing increases required to support the program





Background: A Foundation on Which to Build Fence (Roads)

- CBP manages an inventory of over 5,100 miles of roads identified by the USBP or maintenance.
 - Roads are utilized for operational requirements including patrol and drag roads. Additionally, these roads provide access to tactical infrastructure including fence and boat ramps.
- The average cost to construct new roads is currently estimated at **(b) (5)**
 - Estimate is a rough order of magnitude (-50/+100) and includes project planning and oversight, environmental planning and compliance, environmental mitigation, real estate planning and acquisition, staffing and human capital requirements, design, and construction.
- The recurring average cost to maintain existing roads is **(b)(3)** per mile, per year.
 - Estimates for "recurring costs" are rough order of magnitude (-50/+100) and reflect average maintenance costs per mile of road plus environmental compliance and staffing and human capital requirements.



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Section II: USBP Initial Priority Requirements & Implementation Approach



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USBP Initial Priority Requirements: Summary & Cost Estimates

Focus is on:

- Estimated (b) (5) have been identified as priority new pedestrian fence miles (b) (7)(E).
- Estimated (b) (7)(E) additional miles have been identified as priority replacement pedestrian fence and vehicle fence to pedestrian fence (b) (7)(E), (b) (7)(E). Of the (b) (7)(E) miles, approximately (b) (7)(E) miles of the fence replacement will be an upgrade from vehicle fence to pedestrian fence.
- An estimated (b) (5) in real estate of (b) (7)(E) in RGV and 247 miles of roads that need to be maintained (estimated at (b) (5)) along the SWB have also been identified as priorities.

Requirement Type	New Miles	Acquisition/Initial Costs ROM (-50%/+100%) Cost	20 Year Recurring Costs (Maintenance and Repair)	Total End State Cost
New Primary PF	(b) (7)(E)	\$ (b) (5)	\$ (b) (3)	\$ (b) (5)
Replacement Primary PF And VF to PF		\$	\$	\$
(b) (7)(E) Real Estate (b) (7)(E)		\$	\$	\$
Southwest Border Road Maintenance		\$	\$	\$
Total Costs		\$	\$	\$



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Wall with (b) (7)(E)

- Definition of wall (b) (7)(E): A joint structure that comprises (b) (7)(E) measuring approximately (b) (7)(E) high to meet U.S. Border Patrol's (USBP) requirements, with the ratio of (b) (7)(E)

• (b) (7)(E)

(b) (7)(E)

(b) (7)(E) – segment (b) (7)(E)





Potential Wall with (b) (7)(E)

- Potential Wall with (b) (7)(E):
 - We have identified sites, in the range of (b) (5), where we believe (b) (7)(E) would support a wall. These miles are in:
 - (b) (5)
 - (b) (5)
 - (b) (5)
 - Miles are subject to change, after real estate and other on-site investigations are completed.





USBP Initial Priority Requirements: Acquisition Strategy

- CBP continues to work with USACE to establish Multiple Award Task Order Contracts (MATOC) and Indefinite Delivery Indefinite Quantity (IDIQ) Contracts to allow for an expedited contract award process for fence construction.
- This acquisition strategy is dependent on (b) (5) [REDACTED]
- This money will fund the seed projects to establish the MATOC pools.

Available ECSO Horizontal Capacity

Pool	Set-Aside	Beginning Contract Capacity	Total \$ Awarded	Reserved Capacity	Available Capacity	Current Status of Procurement
SW Border Patrol Sectors	Unrestricted	(b) (3)	(b) (3)	(b) (3)	(b) (3)	Awarded
Laredo, Del Rio, & Big Bend	SDVOSB					Awarded
RGV Sector	8(a)					Phase 1 SSEB begins 1/17/17
El Paso, Tucson & Yuma Sectors	8(a)					Phase 1 RFP will issue on 1/27/17
San Diego & El Centro Sectors	HUBZone					Phase 1 RFP will issue on 1/27/17
Southwest Border East*	Unrestricted					Pending
Southwest Border West*	Unrestricted					Pending
Totals						

*estimated



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USBP Initial Priority Requirements: Draft Estimated Timeline

- Assumptions:**
- 1) Phase 1: (b) (5)
 - Available for use NLT (b) (5)
 - 2) Phase 2: (b) (5)
 - 3) (b) (5) per month

Actual	1/23/17	July 2017	Sept. 2017	January 2018	July 2018	December 2018	CY 2020	CY 2021
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(b) (5)

Timeline also assumes (b) (5). Note: *This assumes (b) (5). Also, (b) (5) assumes that (b) (5).



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USBP Initial Priority Requirements: Estimated Timeline Considerations

- Environmental:

(b) (5)

- Real Estate:

(b) (5)





USBP Initial Priority Requirements: Estimated Timeline Considerations

- Government Furnished Material (GFM) and Supply Chain:

— (b) (5)

(b) (5)

— (b) (5)

(b) (5)

(b) (5)





USBP Initial Priority Requirements: Estimated Timeline Considerations

- Additional staffing will be required in all program areas to meet the demands of fence construction while still maintaining current programs
 - Additional workload specifically in the areas of real estate, environmental, engineering, financial management, communications and reporting, project management, and support services will require additional staff within the program office and its parent organizations.
 - To meet staffing requirements timely, CBP will need direct hire authority. Staff support contracts will need to be put in place and an expedited hiring process for hiring federal employees needs to be prioritized and completed as soon as possible. Additionally, a personnel freeze at either CBP or USACE would hinder the ability to execute the program.
 - Office of Chief Counsel, Procurement, and the Department of Justice will also need additional support as well.





USBP Initial Priority Requirements: Next Steps

- [REDACTED] (b) (5)
- Continue to collaborate with USBP to refine needs and requirements.
- Continue to coordinate with USACE on MATOC requirements.
- Meeting was held on January 13, 2017 with Assistant Commissioner Borkowski to begin initial discussions regarding acquisition documentation to develop the Acquisition Decision Memorandum (ADM). Program Accountability and Risk Management (PARM) and Joint Requirements Council (JRC) were in attendance.
- [REDACTED] (b) (5)
- [REDACTED] (b) (5)
- Continued discussions around USBP unconstrained requirements are underway.





Section III: Additional Key Considerations



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Additional Key Considerations

- Proposed Legislative Language: OCC has provided guidance on possible legislative changes to Section 102 should there be another push for new significant fence construction. These topics include, but are not limited to:

(b) (5)





Additional Key Considerations

- Proposed Legislative Language: OCC has provided guidance on proposed legislative changes to Section 102 should there be another push for new significant fence construction. These topics include, but are not limited to:

(b) (5)





Additional Key Considerations

- [REDACTED] (b) (5)
- [REDACTED] (b) (5)
- [REDACTED] (b) (5)
- [REDACTED] (b) (5)
- [REDACTED] (b) (5)
- [REDACTED] (b) (5)
- [REDACTED] (b) (5)





APPENDIX A: MAPS

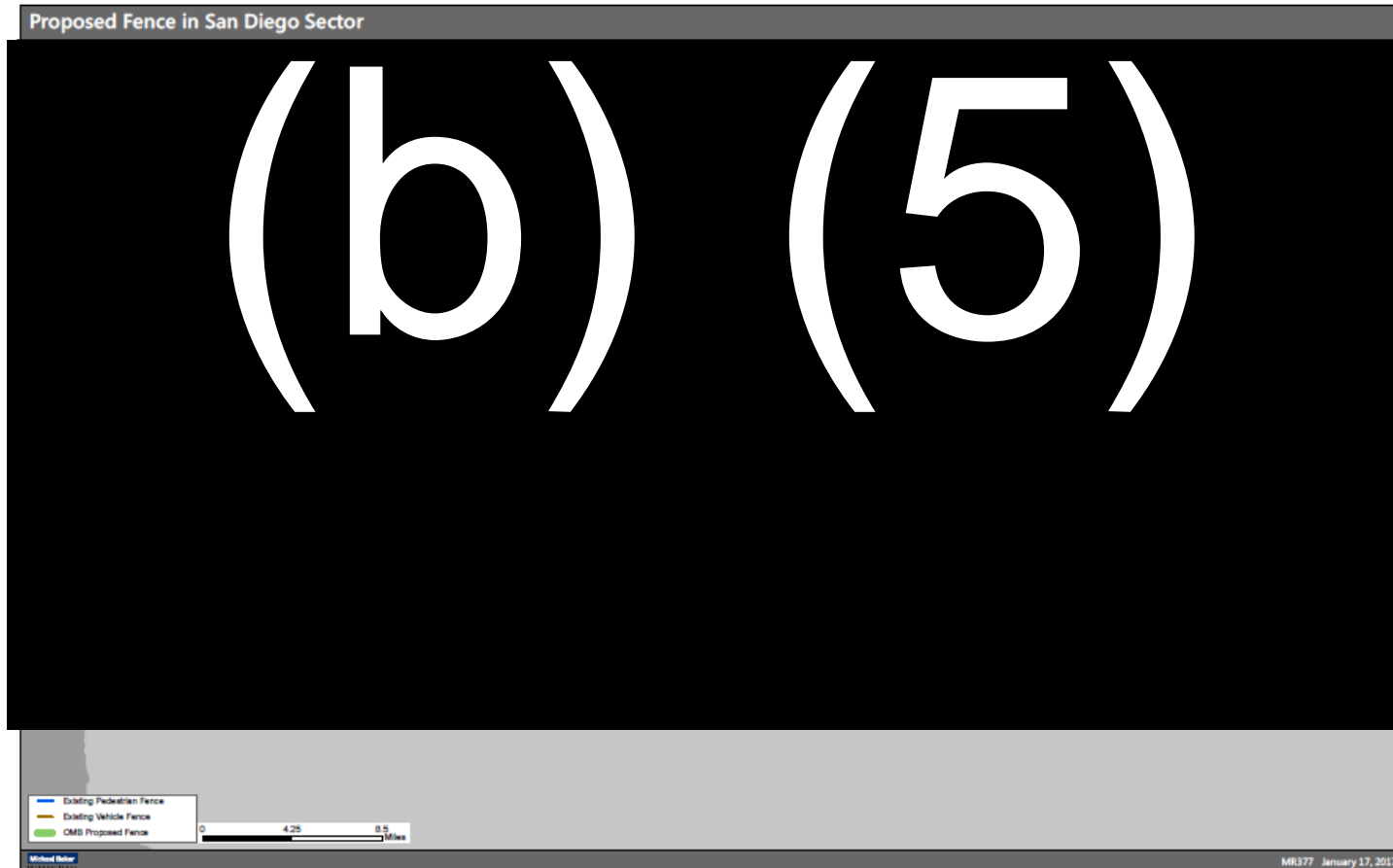


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San Diego Sector

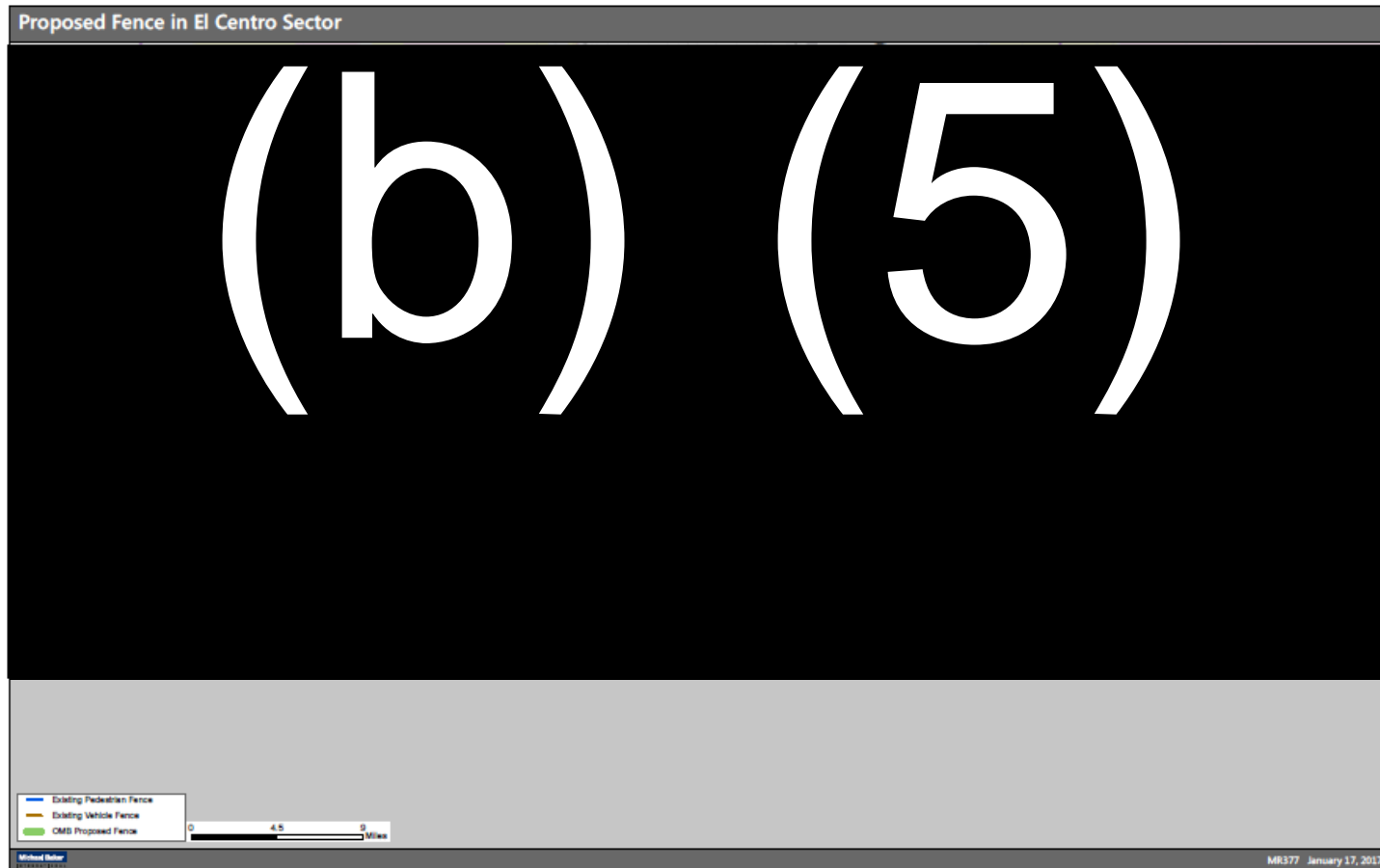


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El Centro Sector

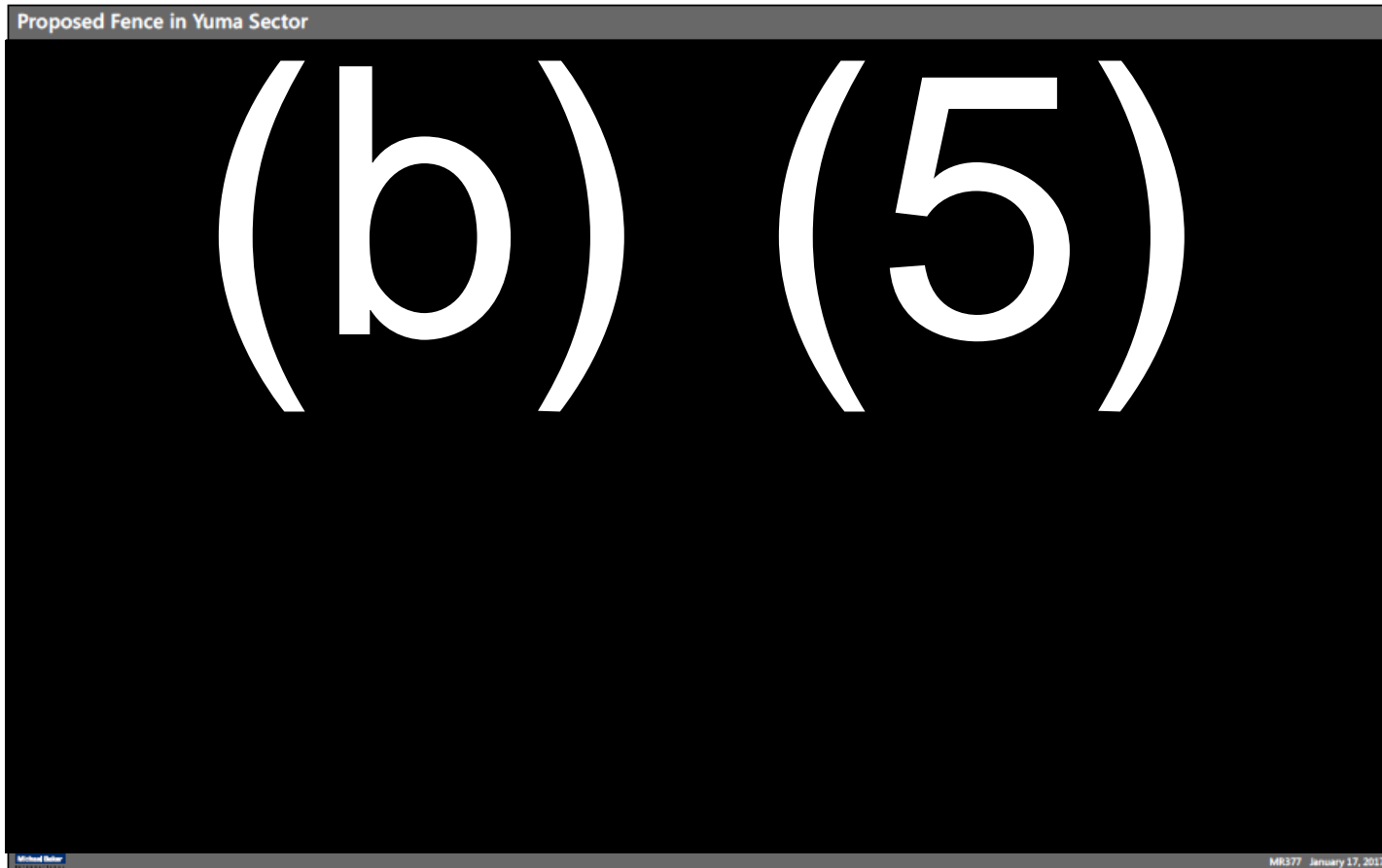


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Yuma Sector

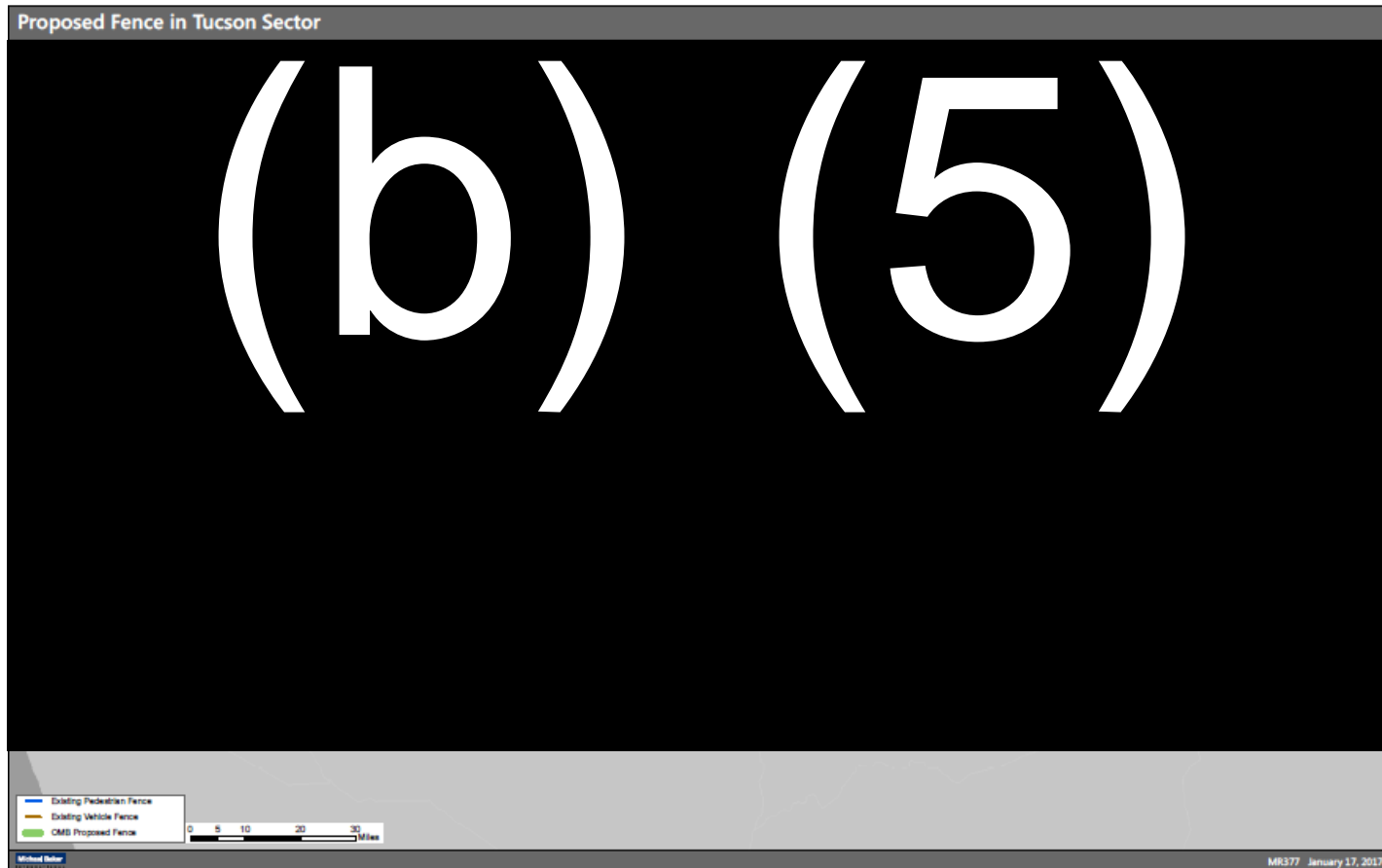


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Tucson Sector

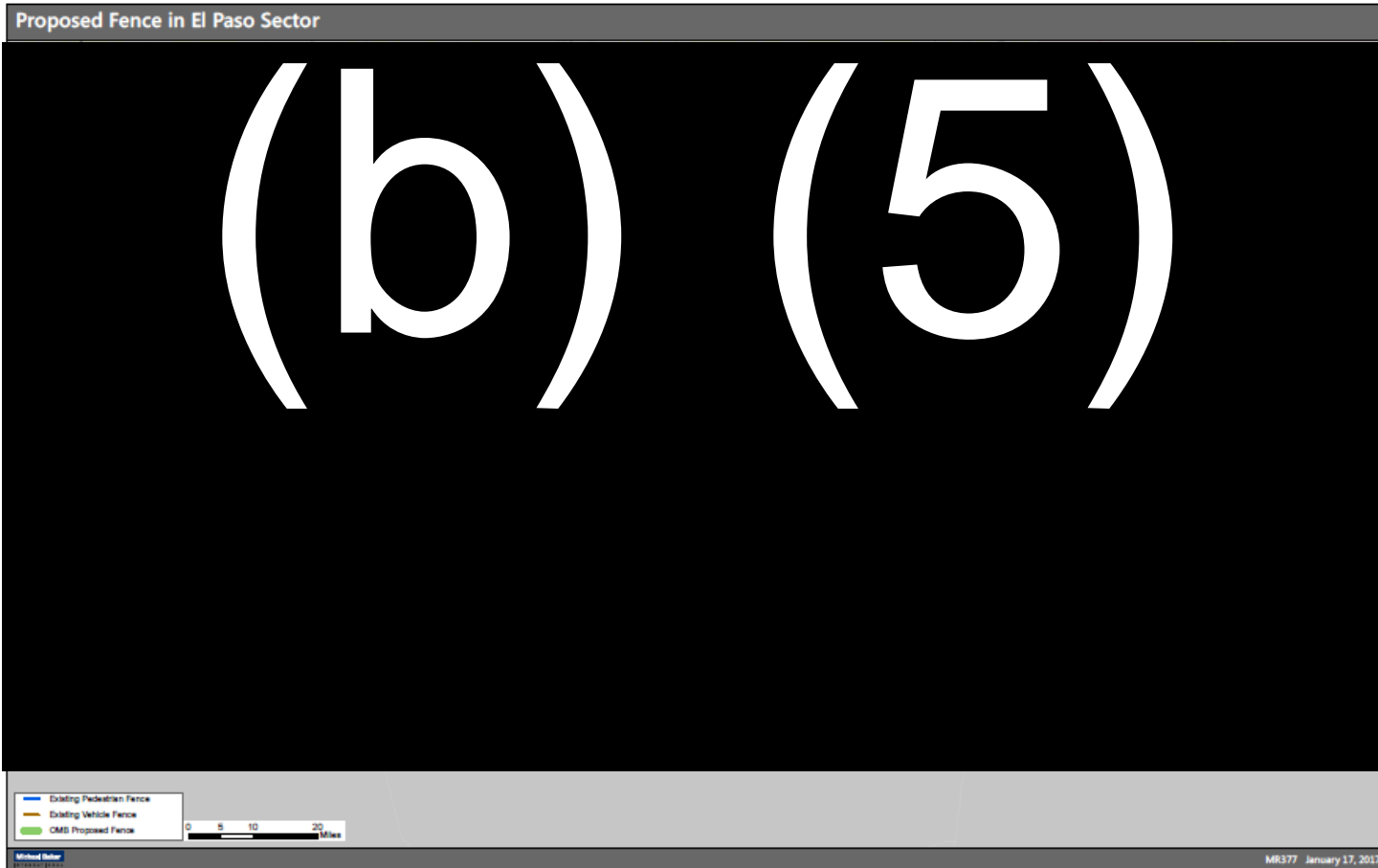


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El Paso Sector

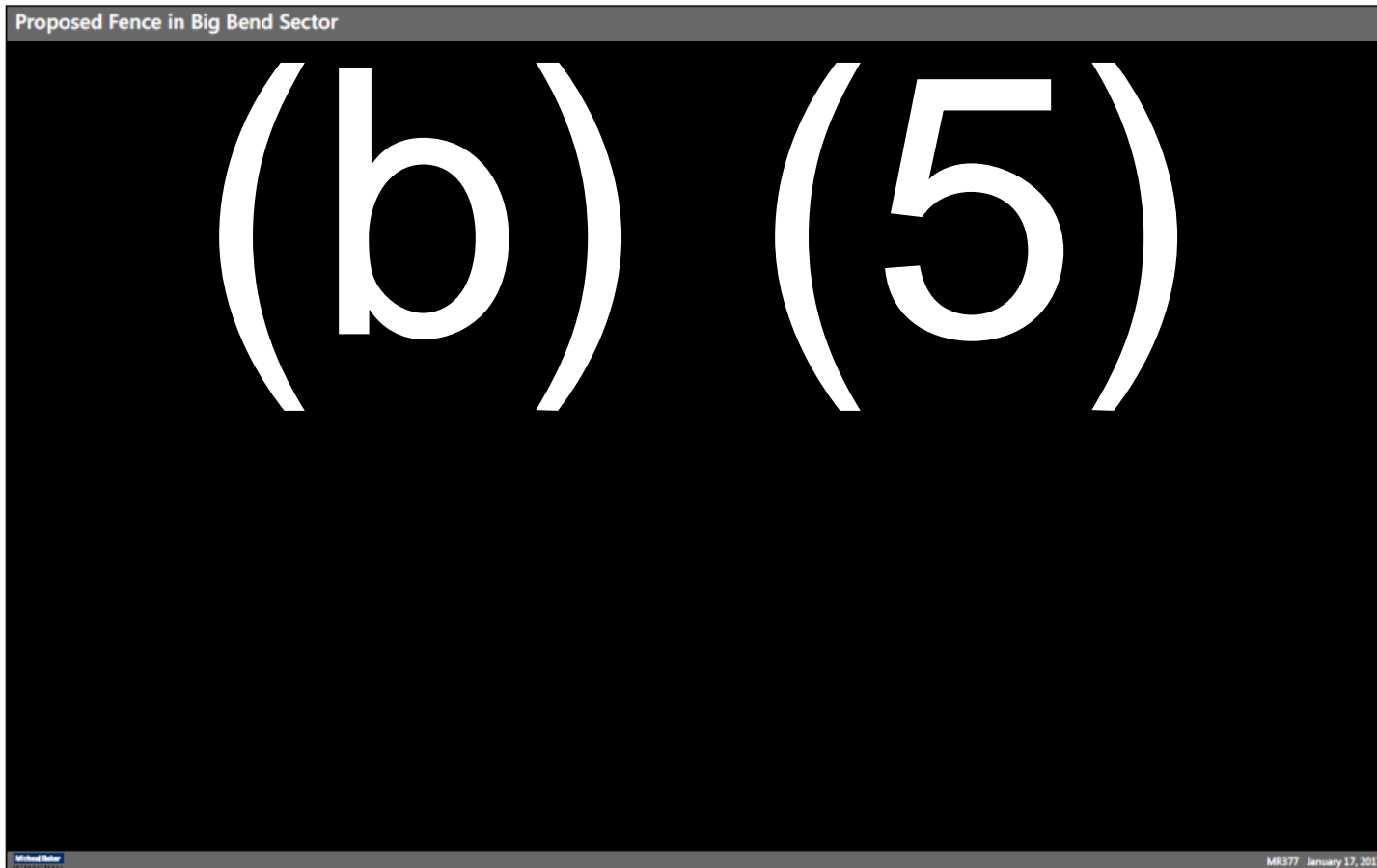


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Big Bend Sector

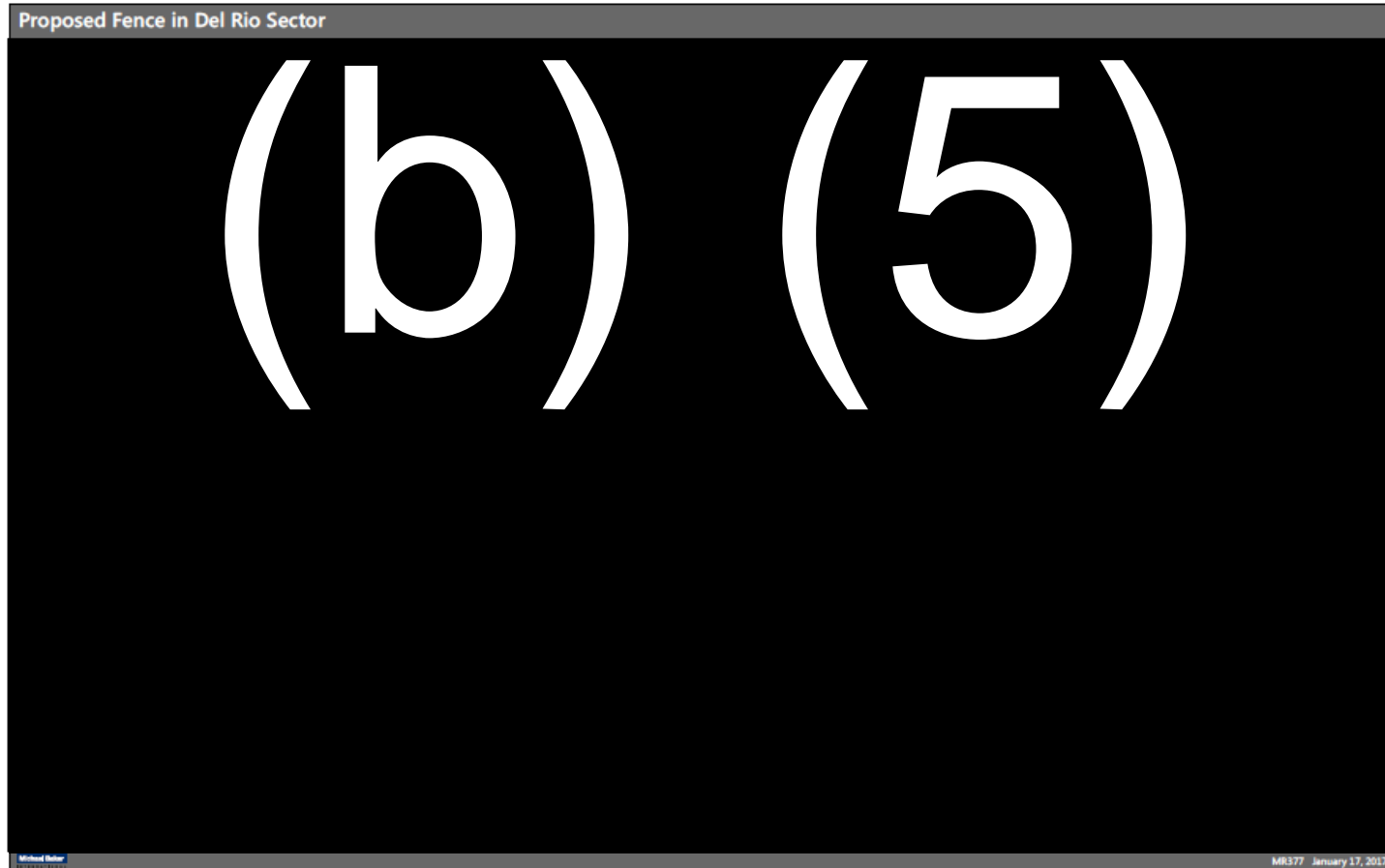


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Del Rio Sector



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Laredo Sector

Proposed Fence in Laredo Sector

(b) (5)

United States

MR377 January 17, 2017

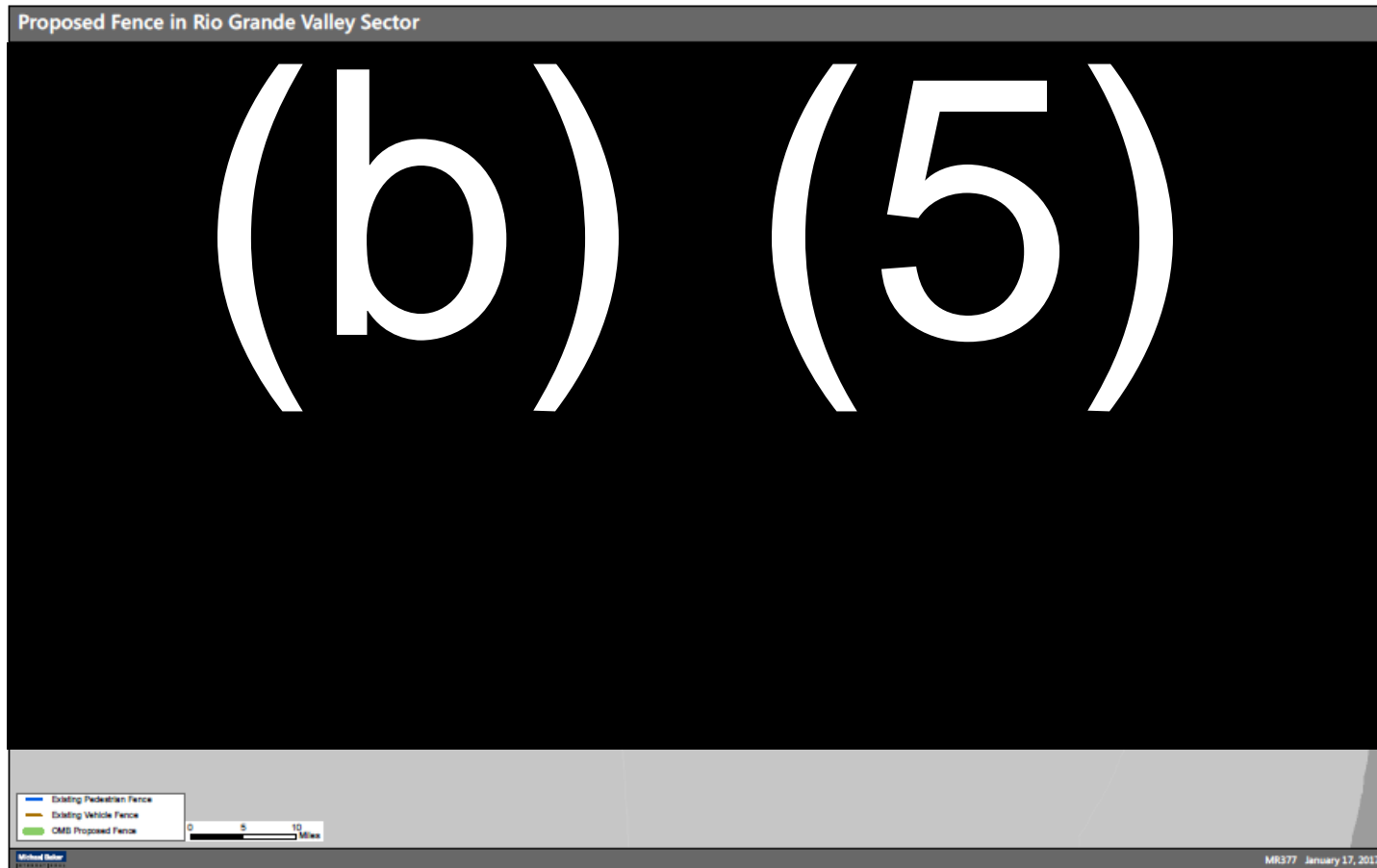


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