

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Internal Agency Docket No. FEMA-4441-DR; Docket ID FEMA-2019-0001]

**Arkansas; Amendment No. 5 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for State of Arkansas (FEMA-4441-DR), dated June 8, 2019, and related determinations.

**DATES:** This change occurred on October 18, 2019.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) hereby gives notice that pursuant to the authority vested in the Administrator, under Executive Order 12148, as amended, Sandra Eslinger, of FEMA is appointed to act as the Federal Coordinating Officer for this disaster.

This action terminates the appointment of Jerry S. Thomas as Federal Coordinating Officer for this disaster.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

**Pete Gaynor,**

*Acting Administrator, Federal Emergency Management Agency.*

[FR Doc. 2019-23847 Filed 10-30-19; 8:45 am]

**BILLING CODE 9111-23-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

[Internal Agency Docket No. FEMA-4462-DR; Docket ID FEMA-2019-0001]

**Louisiana; Amendment No. 1 to Notice of a Major Disaster Declaration**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster declaration for the State of Louisiana (FEMA-4462-DR), dated September 19, 2019, and related determinations.

**DATES:** This amendment was issued October 17, 2019.

**FOR FURTHER INFORMATION CONTACT:** Dean Webster, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2833.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster declaration for the State of Louisiana is hereby amended to include the following area among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of September 19, 2019.

St. Mary Parish for Public Assistance.

The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households In Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.

**Pete Gaynor,**

*Acting Administrator, Federal Emergency Management Agency.*

[FR Doc. 2019-23843 Filed 10-30-19; 8:45 am]

**BILLING CODE 9111-23-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Office of the Secretary**

**Determination Pursuant to Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as Amended**

**AGENCY:** Office of the Secretary, Department of Homeland Security.

**ACTION:** Notice of determination.

**SUMMARY:** The Acting Secretary of Homeland Security has determined, pursuant to law, that it is necessary to waive certain laws, regulations, and other legal requirements in order to ensure the expeditious construction of barriers and roads in the vicinity of the international land border in Starr County, Texas, Hidalgo County, Texas, and Cameron County, Texas.

**DATES:** This determination takes effect on October 31, 2019.

**SUPPLEMENTARY INFORMATION:** Important missions of the Department of Homeland Security (“DHS”) include border security and the detection and prevention of illegal entry into the United States. Border security is critical to the nation’s national security. Recognizing the critical importance of border security, Congress has mandated DHS to achieve and maintain operational control of the international land border. Secure Fence Act of 2006, Public Law 109-367, 2, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1701 note). Congress defined “operational control” as the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, and instruments of terrorism, narcotics, and other contraband. *Id.* Consistent with that mandate from Congress, the President’s Executive Order on Border Security and Immigration Enforcement Improvements directed executive departments and agencies to deploy all lawful means to secure the southern border. Executive Order 13767, § 1. In order to achieve that end, the President directed, among other things, that I take immediate steps to prevent all unlawful entries into the United States, including the immediate construction of physical infrastructure to prevent illegal entry. Executive Order 13767, § 4(a).

Congress has provided to the Secretary of Homeland Security a number of authorities necessary to carry out DHS’s border security mission. One of those authorities is section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended (“IIRIRA”). Public Law 104-208, Div. C, 110 Stat. 3009-546,

3009–554 (Sept. 30, 1996) (8 U.S.C. 1103 note), as amended by the REAL ID Act of 2005, Public Law 109–13, Div. B, 119 Stat. 231, 302, 306 (May 11, 2005) (8 U.S.C. 1103 note), as amended by the Secure Fence Act of 2006, Public Law 109–367, 3, 120 Stat. 2638 (Oct. 26, 2006) (8 U.S.C. 1103 note), as amended by the Department of Homeland Security Appropriations Act, 2008, Public Law 110–161, Div. E, Title V, § 564, 121 Stat. 2090 (Dec. 26, 2007). In section 102(a) of IIRIRA, Congress provided that the Secretary of Homeland Security shall take such actions as may be necessary to install additional physical barriers and roads (including the removal of obstacles to detection of illegal entrants) 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 I, in my sole discretion, determine necessary to ensure the expeditious construction of barriers and roads authorized by section 102 of IIRIRA.

## Determination and Waiver

### Section 1

The United States Border Patrol's (Border Patrol) Rio Grande Valley Sector is an area of high illegal entry. Between October 1, 2018, and August 31, 2019, the Border Patrol apprehended over 325,000 illegal aliens attempting to enter the United States between border crossings in the Rio Grande Valley Sector. In that same time period, the Border Patrol had over 900 separate drug-related events between border crossings in the Rio Grande Valley Sector, through which it seized over 112,000 pounds of marijuana, over 2,300 pounds of cocaine, over 90 pounds of heroin, and over 1,600 pounds of methamphetamine.

Owing to the high levels of illegal entry within the Rio Grande Valley Sector, I must use my authority under section 102 of IIRIRA to install additional physical barriers and roads in the Rio Grande Valley Sector. Therefore, DHS will take immediate action to construct barriers and roads. The areas in the vicinity of the border within which such construction will occur are more specifically described in Section 2 below. Such areas are not located within any of the areas identified in sections 231 and 232(c) of title II of division A

of the Fiscal Year 2019 DHS Appropriations Act. *See* Public Law 116–6, Div. A, Title II, §§ 231–232.

### Section 2

I determine that the following areas in the vicinity of the United States border, located in the State of Texas within the Border Patrol's Rio Grande Valley Sector, are areas of high illegal entry (the “project areas”):

- In Starr County, starting at the Falcon Dam Lake Spillway that is situated south of Falcon Dam and extending south and east to the western boundary of the census designated place of Salineno, Texas.

- In Starr County, starting at the southeast boundary of the census designated place of Salineno, Texas, and extending south to the northern boundary of the Las Ruinas Tract of the Lower Rio Grande Valley National Wildlife Refuge.

- In Starr County, starting at the southern boundary of the Las Ruinas Tract of the Lower Rio Grande Valley National Wildlife Refuge and extending south and east to the western boundary of the Arroyo Ramirez Tract of the Lower Rio Grande Valley National Wildlife Refuge.

- In Starr County, starting at the northeast boundary of the Arroyo Ramirez Tract of the Lower Rio Grande Valley National Wildlife Refuge and extending east and south for approximately one (1) mile.

- In Starr County, starting at the eastern boundary of the city limits of Escobares, Texas, and moving east and south to the western boundary of the city limits of Rio Grande City, Texas.

- In Starr County, starting approximately one-half (0.5) of a mile southwest of the intersection of Los Velas Road and U.S. Highway 83 and extending east and south for approximately 11 miles.

- In Starr County and Hidalgo County, starting approximately one and two-tenths (1.2) of a mile northwest of the Starr County and Hidalgo County line and extending east to the eastern boundary of the Penitas West Tract of the Lower Rio Grande Valley National Wildlife Refuge.

- In Hidalgo County, starting at the eastern boundary of the Marinoff Tract of the Lower Rio Grande National Wildlife Refuge and extending west for approximately one-half (0.5) of a mile.

- In Hidalgo County, starting immediately north of the northeast boundary of the Santa Ana National Wildlife Refuge and extending west for approximately three-tenths (0.3) of a mile.

- In Hidalgo County and Cameron County, starting at the eastern boundary of the Mercedes Settling Basin and extending north and east in proximity to the International Boundary and Water Commission (IBWC) levee to approximately two-tenths (0.2) of a mile southeast of the point at which Torres Road intersects with the IBWC levee.

- In Cameron County, starting at the southwest boundary of the Philip Banco Tract of the Lower Rio Grande Valley National Wildlife Refuge and extending south and east approximately three (3) miles.

- In Cameron County starting approximately a one-quarter (0.25) of a mile southwest of the Brownsville and Matamoros International Bridge and extending northeast along the Rio Grande River for approximately one-half (0.5) of a mile.

- In Cameron County, starting approximately two-tenths (0.2) of a mile north and west of the point at which International Boulevard crosses the Rio Grande River and extending south and east in proximity to the IBWC levee for approximately three (3) miles.

There is presently an acute and immediate need to construct physical barriers and roads in the vicinity of the border of the United States in order to prevent unlawful entries into the United States in the project areas pursuant to sections 102(a) and 102(b) of IIRIRA. In order to ensure the expeditious construction of the barriers and roads in the project areas, I have determined that it is necessary that I exercise the authority that is vested in me by section 102(c) of IIRIRA.

Accordingly, pursuant to section 102(c) of IIRIRA, I hereby waive in their entirety, with respect to the construction of roads and physical barriers (including, but not limited to, accessing the project areas, creating and using staging areas, the conduct of earthwork, excavation, fill, and site preparation, and installation and upkeep of physical barriers, roads, supporting elements, drainage, erosion controls, safety features, lighting, cameras, and sensors) in the project areas, all of the following statutes, including all federal, state, or other laws, regulations, and legal requirements of, deriving from, or related to the subject of, the following statutes, as amended:

The National Environmental Policy Act (Pub. L. 91–190, 83 Stat. 852 (Jan. 1, 1970) (42 U.S.C. 4321 *et seq.*)); the Endangered Species Act (Pub. L. 93–205, 87 Stat. 884 (Dec. 28, 1973) (16 U.S.C. 1531 *et seq.*)); the Federal Water Pollution Control Act (commonly referred to as the Clean Water Act (33

U.S.C. 1251 *et seq.*); the National Historic Preservation Act (Pub. L. 89–665, 80 Stat. 915 (Oct. 15, 1966), as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 470 *et seq.*, now codified at 54 U.S.C. 100101 note and 54 U.S.C. 300101 *et seq.*); the Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*); the Migratory Bird Conservation Act (16 U.S.C. 715 *et seq.*); the Clean Air Act (42 U.S.C. 7401 *et seq.*); the Archeological Resources Protection Act (Pub. L. 96–95, 93 Stat. 721 (Oct. 31, 1979) (16 U.S.C. 470aa *et seq.*); the Paleontological Resources Preservation Act (16 U.S.C. 470aaa *et seq.*); the Federal Cave Resources Protection Act of 1988 (16 U.S.C. 4301 *et seq.*); the Safe Drinking Water Act (42 U.S.C. 300f *et seq.*); the Noise Control Act (42 U.S.C. 4901 *et seq.*); the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (42 U.S.C. 6901 *et seq.*); the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601 *et seq.*); the Archeological and Historic Preservation Act (Pub. L. 86–523, 74 Stat. 220 (June 27, 1960) as amended, repealed, or replaced by Pub. L. 113–287, 128 Stat. 3094 (Dec. 19, 2014) (formerly codified at 16 U.S.C. 469 *et seq.*, now codified at 54 U.S.C. 312502 *et seq.*); the Antiquities Act (formerly codified at 16 U.S.C. 431 *et seq.*, now codified 54 U.S.C. 320301 *et seq.*); the Historic Sites, Buildings, and Antiquities Act (formerly codified at 16 U.S.C. 461 *et seq.*, now codified at 54 U.S.C. 3201–320303 & 320101–320106); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Federal Land Policy and Management Act (Pub. L. 94–579, 90 Stat. 2743 (Oct. 21, 1976) (43 U.S.C. 1701 *et seq.*); the National Wildlife Refuge System Administration Act (Pub. L. 89–669, 80 Stat. 926 (Oct. 15, 1966) (16 U.S.C. 668dd–668ee)); National Fish and Wildlife Act of 1956 (Pub. L. 84–1024, 70 Stat. 1119 (Aug. 8, 1956) (16 U.S.C. 742a, *et seq.*); the Fish and Wildlife Coordination Act (Pub. L. 73–121, 48 Stat. 401 (March 10, 1934) (16 U.S.C. 661 *et seq.*); the National Trails System Act (16 U.S.C. 1241 *et seq.*); the Administrative Procedure Act (5 U.S.C. 551 *et seq.*); the Rivers and Harbors Act of 1899 (33 U.S.C. 403); the Coastal Zone Management Act (Pub. L. 92–583 (16 U.S.C. 1451 *et seq.*); the Eagle Protection Act (16 U.S.C. 668 *et seq.*); the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 *et seq.*); and the American Indian Religious Freedom Act (42 U.S.C. 1996).

This waiver does not revoke or supersede the previous waivers published in the **Federal Register** on April 8, 2008 (73 FR 19077 and 73 FR 19078), October 10, 2018 (83 FR 50949), October 11, 2018 (83 FR 51472), July 1, 2019 (84 FR 31328), August 30, 2019 (84 FR 45787), and October 1, 2019 (84 FR 52118), which shall remain in full force and effect in accordance with their respective terms. I reserve the authority to execute further waivers from time to time as I may determine to be necessary under section 102 of IIRIRA.

Dated: October 23, 2019.

**Kevin K. McAleenan,**

*Acting Secretary of Homeland Security.*

[FR Doc. 2019–23725 Filed 10–30–19; 8:45 am]

**BILLING CODE 9111–14–P**

## DEPARTMENT OF HOMELAND SECURITY

[Docket No. CISA–2019–0014]

### Notice of President's National Security Telecommunications Advisory Committee Meeting

**AGENCY:** Cybersecurity and Infrastructure Security Agency (CISA), Department of Homeland Security (DHS).

**ACTION:** Notice of Federal Advisory Committee Act (FACA) meeting; request for comments.

**SUMMARY:** CISA is publishing this notice to announce the following President's National Security Telecommunications Advisory Committee (NSTAC) meeting. This meeting will be partially closed to the public.

**DATES: Meeting Registration:** Registration to attend the meeting is required and must be received no later than 5:00 p.m. Eastern Time (ET) on November 7, 2019. Due to limited seating, requests to attend in person will be accepted and processed in the order in which they are received.

**Speaker Registration:** Registration to speak during the meeting's public comment period must be received no later than 5:00 p.m. ET on November 7, 2019.

**Written Comments:** Written comments must be received no later than 5:00 p.m. ET on November 7, 2019.

**Meeting Date:** The NSTAC will meet on November 14, 2019 from 9:30 a.m. to 3:45 p.m. ET. The meeting may close early if the committee has completed its business.

**ADDRESSES:** The November 2019 NSTAC Meeting's open session will be held at the Eisenhower Executive Office

Building, 1650 Pennsylvania Ave NW, Washington, DC.

**Meeting Registration:** To register, for information on services for individuals with disabilities, or to request special assistance to participate, please email [NSTAC@hq.dhs.gov](mailto:NSTAC@hq.dhs.gov) by 5:00 p.m. ET on November 7, 2019. Include “November 2019 NSTAC Meeting Registration” in the subject line of the message.

**Comments:** Members of the public are invited to provide comment on the issues that will be considered by the committee as listed in the **SUPPLEMENTARY INFORMATION** section below. Associated materials that participants may discuss during the meeting will be available at [www.dhs.gov/cisa/national-security-telecommunications-advisory-committee](http://www.dhs.gov/cisa/national-security-telecommunications-advisory-committee) for review as of October 30, 2019. Comments may be submitted by 5:00 p.m. ET on November 7, 2019 and must be identified by Docket Number CISA–2019–0014. Comments may be submitted by one of the following methods:

- **Federal eRulemaking Portal:** [www.regulations.gov](http://www.regulations.gov). Please follow the instructions for submitting written comments.
- **Email:** [NSTAC@hq.dhs.gov](mailto:NSTAC@hq.dhs.gov). Include the Docket Number CISA–2019–0014 in the subject line of the email.

**Instructions:** All submissions received must include the words “Department of Homeland Security” and the Docket Number for this action. Comments received will be posted without alteration at [www.regulations.gov](http://www.regulations.gov), including any personal information provided.

**Docket:** For access to the docket and comments received by the NSTAC, please go to [www.regulations.gov](http://www.regulations.gov) and enter docket number CISA–2019–0014.

A public comment period will be held during the meeting from 3:00 p.m.–3:30 p.m. ET. Speakers who wish to participate in the public comment period must register by emailing [NSTAC@hq.dhs.gov](mailto:NSTAC@hq.dhs.gov). Speakers are requested to limit their comments to three minutes and will speak in order of registration. Please note that the public comment period may end before the time indicated, following the last request for comments.

**FOR FURTHER INFORMATION CONTACT:** Helen Jackson, 703–705–6276, [helen.jackson@cisa.dhs.gov](mailto:helen.jackson@cisa.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The NSTAC was established by E.O. 12382, 47 FR 40531 (September 13, 1982), as amended and continued under the authority of E.O. 13889, dated September 27, 2019. Notice of this meeting is given under the Federal