

**Department of the Interior**  
**Statement Concerning Real ID Act Waiver**  
**Invoked by Secretary John Kelly**  
**Department of Homeland Security**

On July 26, 2017, the Department of Homeland Security (DHS), executed a waiver of certain laws, regulations and other legal requirements in order to ensure the expeditious construction of border security infrastructure along our Nation's southern border. Included in this waiver are environmental statutes and legal authorities associated with Department of the Interior (DOI) programs.

Since January 25<sup>th</sup>, Customs and Border Protection (CBP) has been working to implement President Trump's Executive Order 13767 - also known as Border Security and Immigration Enforcement Improvements. These efforts include planning for the construction of new infrastructure, the replacement of current border infrastructure with new and more effective systems, and the hiring of new agents and officers into the CBP ranks.

DOI and its constituent bureaus have been working very closely with DHS to facilitate planning associated with the replacement of existing infrastructure and construction of new border security infrastructure in an environmentally responsible manner. The waiver is intended to cover border infrastructure projects located within the US Border Patrol's San Diego sector including the replacement of approximately [REDACTED] miles of primary fence and construction of wall prototype. Although the waiver eliminates CBP's requirements under the National Environmental Policy Act (NEPA), CBP remains committed to responsible environmental stewardship and will continue to perform all important surveys for biological and natural resources, wetlands, culturally significant sites, and environmentally sensitive areas. In addition, CBP will continue to coordinate and consult with federal, state, and local stakeholders to identify and measure the potential for any impacts to resources present and develop appropriate mitigation strategies.

Border security infrastructure will decrease the adverse environmental effects of illegal activities upon fragile plant and animal communities located within Interior lands. As such, DOI will continue to strongly execute its mission to protect and manage the Nation's natural resources and cultural heritage by coordinating closely with CBP in its implementation of Executive Order 13767.