

Legacy Laboratory Services—MetroLab,  
1225 NE 2nd Ave., Portland, OR  
97232, 503-413-5295/800-950-5295.

MedTox Laboratories, Inc., 402 W.  
County Road D, St. Paul, MN 55112,  
651-636-7466/800-832-3244.

Minneapolis Veterans Affairs Medical  
Center, Forensic Toxicology  
Laboratory, 1 Veterans Drive,  
Minneapolis, MN 55417, 612-725-  
2088, Testing for Veterans Affairs  
(VA) Employees Only.

Pacific Toxicology Laboratories, 9348  
DeSoto Ave., Chatsworth, CA 91311,  
800-328-6942 (Formerly: Centinela  
Hospital Airport Toxicology  
Laboratory).

Pathology Associates Medical  
Laboratories, 110 West Cliff Dr.,  
Spokane, WA 99204, 509-755-8991/  
800-541-7891x7.

Phamatech, Inc., 15175 Innovation  
Drive, San Diego, CA 92128, 888-  
635-5840.

Quest Diagnostics Incorporated, 1777  
Montreal Circle, Tucker, GA 30084,  
800-729-6432 (Formerly: SmithKline  
Beecham Clinical Laboratories;  
SmithKline Bio-Science Laboratories).

Quest Diagnostics Incorporated, 400  
Egypt Road, Norristown, PA 19403,  
610-631-4600/877-642-2216  
(Formerly: SmithKline Beecham  
Clinical Laboratories; SmithKline Bio-  
Science Laboratories).

Redwood Toxicology Laboratory, 3700  
Westwind Blvd., Santa Rosa, CA  
95403, 800-255-2159.

US Army Forensic Toxicology Drug  
Testing Laboratory, 2490 Wilson St.,  
Fort George G. Meade, MD 20755-  
5235, 301-677-7085, Testing for  
Department of Defense (DoD)  
Employees Only.

Upon finding a Canadian laboratory to  
be qualified, HHS will recommend that  
DOT certify the laboratory (**Federal  
Register**, July 16, 1996) as meeting the  
minimum standards of the Mandatory  
Guidelines published in the **Federal  
Register** on January 23, 2017 (82 FR  
7920). After receiving DOT certification,  
the laboratory will be included in the  
monthly list of HHS-certified  
laboratories and participate in the NLCP  
certification maintenance program.

**Charles P. LoDico,**  
*Chemist.*

[FR Doc. 2019-21176 Filed 9-30-19; 8:45 am]

**BILLING CODE 4162-20-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 Cameron  
County, Texas and Hidalgo County,  
Texas.

**DATES:** This determination takes effect  
on October 1, 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,  
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 construct roads and  
mechanical gates within gaps of existing  
barriers in the vicinity of the United  
States border in the Rio Grande Valley  
Sector. 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 Cameron County, starting approximately one-tenth (0.1) of a mile west of a gap in the existing barrier commonly referred to as the Sabal Palm gate location, which is situated approximately one-half (0.5) of a mile south of the intersection of Sabal Palm Grove Road and Southmost Road, and extending to approximately one-tenth (0.1) of a mile northeast of the Sabal Palm Gate location.
- In Cameron County, starting approximately one-tenth (0.1) of a mile west of a gap in the existing barrier commonly referred to as the Landrums gate location, which is situated approximately two-tenths (0.2) of a mile southeast of the intersection of Military Highway and South Sam Houston Boulevard, and extending to approximately one-tenth (0.1) of a mile east of the Landrums gate location.
- In Cameron County, starting approximately one-tenth (0.1) of a mile north of a gap in the existing barrier commonly referred to as the Rio Grande Avenue gate location, which is situated immediately east of the intersection of Rio Grande Avenue and Robertson Road, and extending to approximately one-tenth (0.1) of a mile south of the Rio Grande Avenue gate location.
- In Cameron County, starting approximately one-tenth (0.1) of a mile west of a gap in the existing barrier, commonly referred to as the Robertson Road gate location, which is situated immediately north of the intersection of Robertson Road and Rio Grande Avenue, and extending to approximately one-tenth (0.1) of a mile east of the Robertson Road gate location.
- In Hidalgo County, starting approximately one-tenth (0.1) of a mile northwest of a gap in the existing levee wall commonly referred to as the 263 Road gate location, which is situated on the International Boundary Water Commission ("IBWC") levee approximately one-quarter (0.25) of a mile southwest of the intersection of Military Road and Domingo Trevino Drive, and extending to approximately one-tenth (0.1) of a mile southeast of the 263 Road gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile north of a gap in the existing levee wall commonly referred to as the Strawberry Farms gate location, which is situated on the IBWC levee approximately four-tenths (0.4) of a mile southwest of the intersection of Villarre Crispin Street and Military Road, and extending to approximately eight-tenths (0.8) of a mile southeast of the Strawberry Farms gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile northwest of a gap in the existing levee wall commonly referred to as the Hoki's gate location, which is situated on the IBWC levee approximately nine-tenths (0.9) of a mile southeast of the intersection of Chihuahua Road and Military Road, and extending to approximately one-tenth (0.1) of a mile southeast of the Hoki's gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile northwest of a gap in the existing levee wall commonly referred to as the Metz Farms gate location, which is situated on the IBWC levee approximately six-hundredths (.06) of a mile southeast of the intersection of Chihuahua Road and Military Road, and extending to approximately one-tenth (0.1) of a mile southeast of the Metz Farms gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile west of the gap in the existing levee wall, commonly referred to as the Mudhole Road gate location, which is located on the IBWC levee approximately one-tenth (0.1) of a mile southeast of the intersection of Manuelita Rios Road and Farm to Market Road 1427, and extending to approximately one-tenth (0.1) of a mile east of the Mudhole Road gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile northwest of a gap in the existing levee wall commonly referred to as the Boat Ramp Gate (Cistern) gate location, which is situated four-tenths (0.4) of a mile northwest of the intersection of County Road 1598 and the IBWC levee, and extending to approximately one-half (.5) of a mile southeast of the Boat Ramp Gate (Cistern) gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile southwest of a gap in the existing levee wall commonly referred to as the Fuller gate location, which is situated at the intersection County Road 1598 and the IBWC levee, and extending to approximately six-tenths (0.6) of a mile east of the Fuller gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile

north of a gap in the existing levee wall commonly referred to as the Basin Ramp (PGR) gate location, which is situated approximately one-tenth (0.1) of a mile southwest of where Desiga Way terminates at Progreso Settling Basin, and extending to approximately one-tenth (0.1) of a mile south of the Basin Ramp (PGR) gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile southwest of a gap in the existing levee wall commonly referred to as the Progreso Pump gate location, which is situated approximately two-tenths (0.2) of a mile southwest of the intersection of Moon Lake Drive South and the IBWC levee, and extending to approximately one-tenth (0.1) of a mile northeast of the Progreso Pump gate location.

- In Hidalgo County, starting approximately two-tenths (0.2) of a mile west of a gap in the existing levee wall commonly referred to as the Octavio Garcia Ramp gate location, which is situated three-hundredths (0.03) of a mile east of the intersection of County Road 793 and County Road 1702, and extending to approximately one-tenth (0.1) of a mile east of the Octavio Garcia Ramp gate location.

- In Hidalgo County, starting approximately seven-tenths (0.7) of a mile west of a gap in the existing levee wall commonly referred to as the Beckwith Ramp gate location, which is situated at the intersection of County Road 793 and County Road 1706, and extending to approximately one-tenth of a mile east of the Beckwith Ramp gate location.

- In Hidalgo County, starting approximately one-half (0.5) of a mile west of a gap in the existing levee wall commonly referred to as the Swamp Refuge gate location, which is situated approximately four-tenths (0.4) of a mile east of the intersection of County Road 793 and County Road 1706, and extending to approximately one-tenth (0.1) of a mile east of the Swamp Refuge gate location.

- In Hidalgo County, starting approximately six-tenths (0.6) of a mile northwest of a gap in the existing levee wall commonly referred to as the Fuller Ramp gate location, which is situated approximately one (1) mile east of the intersection of County Road 793 and County Road 1706, and extending to approximately one-tenth (0.1) of a mile southeast of the Fuller Ramp gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile southwest of a gap in the existing levee wall commonly referred to as the East of Hidalgo Port of Entry gate location, located approximately two-tenths (0.2)

of a mile southwest of the intersection of International Boulevard and South Bridge Street, and extending to approximately one-tenth (0.1) of a mile northeast of the East of Hidalgo Port of Entry gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile northwest of a gap in the existing levee wall commonly referred to as the Bell Brothers Road gate location, which is situated at the intersection of Cantu Trail Road and the IBWC levee, and extending to approximately one-tenth (0.1) of a mile southeast of the Bell Brothers Road gate location.

- In Hidalgo County, starting approximately six-tenths (0.6) of a mile southwest of a gap in the existing levee wall commonly referred to as the McManus Farms gate location, which is situated at the intersection of County Road 1582 and the IBWC levee, and extending to approximately one-tenth (0.1) of a mile southeast of the McManus Farms gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile southwest of a gap in the existing levee wall commonly referred to as the American Farms gate location, which is situated at the intersection of County Road 1594 and the IBWC levee, and extending to approximately one-tenth (0.1) of a mile northeast of the American Farms gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile southwest of a gap in the existing levee wall commonly referred to as the Munoz gate location, which is situated approximately two-tenths (0.2) of a mile northeast of the intersection of County Road 1594 and the IBWC levee, and extending to approximately one-tenth (0.1) of a mile northeast of the Munoz gate location.

- In Hidalgo County, starting approximately one-tenth (0.1) of a mile northwest of the Penitas Pump House on the IBWC levee and extending in a southeasterly direction for approximately one-quarter (0.25) of a mile to a point on the IBWC levee.

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 Archaeological 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) and October 11, 2018, (83 FR 51472), 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.

**Kevin K. McAleenan,**

*Acting Secretary of Homeland Security.*

[FR Doc. 2019–21188 Filed 9–30–19; 8:45 am]

**BILLING CODE 9111–14–P**

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## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS–HQ–FAC–2019–N110;  
FWWF9792090000–FF09F42300–XXX]

#### Sport Fishing and Boating Partnership Council Meeting

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice of meeting.

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**SUMMARY:** We, the U.S. Fish and Wildlife Service, announce a public meeting of the Sport Fishing and Boating Partnership Council (SFBPC), in accordance with the Federal Advisory Committee Act. The SFBPC's purpose is to advise the Secretary of the Interior, through the Director of the U.S. Fish and Wildlife Service, on aquatic conservation endeavors that benefit recreational resources and recreational boating and that encourage partnerships