

38,000 illegal aliens in the San Diego Sector. In that same year Border Patrol seized approximately 8,700 pounds of marijuana and approximately 1,800 pounds of cocaine in the San Diego Sector.

In order to satisfy the need for additional border infrastructure in the San Diego Sector, DHS will take action to construct barriers and roads. Specifically, construction of secondary barriers and roads will occur within an approximately fourteen mile segment of the border within the San Diego Sector that starts at approximately the Pacific Ocean and extends eastward. The segment of the border within which such construction will occur is referred to herein as the “project area” and is more specifically described in Section 2 below.

#### Section 2

I determine that the following area in the vicinity of the United States border, located in the State of California within the United States Border Patrol’s San Diego Sector, is an area of high illegal entry (the “project area”): Starting at approximately the Pacific Ocean and extending eastward to approximately Border Monument 251.

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 area. In order to ensure the expeditious construction of the barriers and roads in the project area, 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 area, 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 area, 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 (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 (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 National Trails System Act (16 U.S.C. 1241 *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, as amended, repealed, or replaced by Pub. L. 113–287 (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 Wild and Scenic Rivers Act (Pub. L. 90–542 (16 U.S.C. 1281 *et seq.*)); the Farmland Protection Policy Act (7 U.S.C. 4201 *et seq.*); the Coastal Zone Management Act (Pub. L. 92–583 (16 U.S.C. 1451 *et seq.*)); the Wilderness Act (Pub. L. 88–577 (16 U.S.C. 1131 *et seq.*)); the Federal Land Policy and Management Act (Pub. L. 94–579 (43 U.S.C. 1701 *et seq.*)); the National Wildlife Refuge System Administration Act (Pub. L. 89–669 (16 U.S.C. 668dd–668ee)); the National Wildlife Refuge System Improvement Act of 1997 (Pub. L. 105–57); National Fish and Wildlife Act of 1956 (Pub. L. 84–1024 (16 U.S.C. 742a, *et seq.*)); the Fish and Wildlife Coordination Act (Pub. L. 73–121 (16 U.S.C. 661 *et seq.*)); the Wild Horse and Burro Act (16 U.S.C. 1331 *et seq.*); an Act of Oct. 30, 2000, Pub. L. 106–398, 1, 114 Stat. 1654 (enacting into law § 2848 of Part II of Subtitle D of Title XXVIII of Division B of H.R. 5408 (114 Stat. 1654A–426), as introduced on Oct. 6, 2000); the

Administrative Procedure Act (5 U.S.C. 551 *et seq.*); the Otay Mountain Wilderness Act of 1999 (Pub. L. 106–145); sections 102(29) and 103 of Title I of the California Desert Protection Act (Pub. L. 103–433); the Rivers and Harbors Act of 1899 (33 U.S.C. 403); 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 previous waivers published in the **Federal Register** on September 22, 2005 (70 FR 55622), and August 2, 2017 (82 FR 35984), which shall remain in full force and effect in accordance with their 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.

**Kirstjen M. Nielsen,**

*Secretary of Homeland Security.*

[FR Doc. 2019–01379 Filed 2–7–19; 8:45 am]

**BILLING CODE 9111–14–P**

## DEPARTMENT OF HOMELAND SECURITY

### Office of the Secretary

[Docket No. DHS–2019–0001]

### DHS Data Privacy and Integrity Advisory Committee

**AGENCY:** Privacy Office, Department of Homeland Security (DHS).

**ACTION:** Committee management; notice of Federal Advisory Committee meeting.

**SUMMARY:** The DHS Data Privacy and Integrity Advisory Committee will meet on Tuesday, February 26, 2019, via teleconference. The meeting will be open to the public.

**DATES:** The DHS Data Privacy and Integrity Advisory Committee will meet on Tuesday, February 26, 2019, from 9:00 a.m. to 10:30 a.m. Please note that the teleconference may end early if the Committee has completed its business.

**ADDRESSES:** The meeting will be held via teleconference and an online forum (URL will be posted on the Privacy Office website in advance of the meeting at [www.dhs.gov/privacy-advisory-committees](http://www.dhs.gov/privacy-advisory-committees)). For information on facilities or services for individuals with disabilities, or to request special assistance during the meeting, please contact Sandra Taylor, Designated Federal Officer, DHS Data Privacy and Integrity Advisory Committee, as soon as possible.

To facilitate public participation, we invite public comment on the issues to be considered by the Committee as listed in the **SUPPLEMENTARY INFORMATION** section below. A public comment period will be held during the meeting from 10:15 a.m.–10:30 a.m., and speakers are requested to limit their comments to three minutes. If you would like to address the Committee at the meeting, we request that you register in advance by contacting Sandra Taylor at the address provided below. The names and affiliations, if any, of individuals who address the Committee are included in the public record of the meeting. Please note that the public comment period may end before the time indicated, following the last call for comments. Written comments should be sent to Sandra Taylor, Designated Federal Officer, DHS Data Privacy and Integrity Advisory Committee, by February 21, 2019. Persons who wish to submit comments and who are not able to participate or speak at the meeting may submit comments at any time. All submissions must include the Docket Number (DHS–2019–0001) and may be submitted by any *one* of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *E-mail:* [PrivacyCommittee@hq.dhs.gov](mailto:PrivacyCommittee@hq.dhs.gov). Include the Docket Number (DHS–2019–0001) in the subject line of the message.

- *Fax:* (202) 343–4010.
- *Mail:* Sandra Taylor, Designated Federal Officer, Data Privacy and Integrity Advisory Committee, Department of Homeland Security, 245 Murray Lane SW, Mail Stop 0655, Washington, DC 20528.

*Instructions:* All submissions must include the words “Department of Homeland Security Data Privacy and Integrity Advisory Committee” and the Docket Number (DHS–2019–0001). Comments received will be posted without alteration at <http://www.regulations.gov>, including any personal information provided.

If you wish to attend the meeting, please plan to call in no later than 8:50 a.m. The DHS Privacy Office encourages you to register for the meeting in advance by contacting Sandra Taylor, Designated Federal Officer, DHS Data Privacy and Integrity Advisory Committee, at [PrivacyCommittee@hq.dhs.gov](mailto:PrivacyCommittee@hq.dhs.gov). Advance registration is voluntary. The Privacy Act Statement below explains how DHS uses the registration information you may provide and how you may access or correct information retained by DHS, if any.

*Docket:* For access to the docket to read background documents or comments received by the DHS Data Privacy and Integrity Advisory Committee, go to <http://www.regulations.gov> and search for docket number DHS–2019–0001.

**FOR FURTHER INFORMATION CONTACT:** Sandra Taylor, Designated Federal Officer, DHS Data Privacy and Integrity Advisory Committee, Department of Homeland Security, 245 Murray Lane SW, Mail Stop 0655, Washington, DC 20528, by telephone (202) 343–1717, by fax (202) 343–4010, or by email to [PrivacyCommittee@hq.dhs.gov](mailto:PrivacyCommittee@hq.dhs.gov).

**SUPPLEMENTARY INFORMATION:** Notice of this meeting is given under the Federal Advisory Committee Act (FACA), Title 5, U.S.C. The DHS Data Privacy and Integrity Advisory Committee provides advice at the request of the Secretary of Homeland Security and the DHS Chief Privacy Officer on programmatic, policy, operational, administrative, and technological issues within DHS that relate to personally identifiable information, as well as data integrity and other privacy-related matters. The Committee was established by the Secretary of Homeland Security under the authority of 6 U.S.C. 451.

#### Proposed Agenda

During the meeting, the Committee will review and vote on the Policy Subcommittee’s report to the Department providing recommendations on privacy considerations in biometric facial recognition technology. The draft report will be posted on the Committee’s website at [www.dhs.gov/dhs-data-privacy-and-integrity-advisory-committee-meeting-information](http://www.dhs.gov/dhs-data-privacy-and-integrity-advisory-committee-meeting-information) in advance of the meeting. If you wish to submit written comments on the draft report, you may do so in advance of the meeting by forwarding them to the Committee at the locations listed under **ADDRESSES**. The final agenda will be posted on or before February 18, 2019, on the Committee’s website at [www.dhs.gov/dhs-data-privacy-and-integrity-advisory-committee-meeting-information](http://www.dhs.gov/dhs-data-privacy-and-integrity-advisory-committee-meeting-information). Please note that the meeting may end early if all business is completed.

#### Privacy Act Statement: DHS’s Use of Your Information

*Authority:* DHS requests that you voluntarily submit this information under its following authorities: The *Federal Records Act*, 44 U.S.C. 3101; the *FACA*, 5 U.S.C. appendix; and the *Privacy Act of 1974*, 5 U.S.C. 552a.

*Principal Purposes:* When you register to attend a DHS Data Privacy and

Integrity Advisory Committee meeting, DHS collects your name, contact information, and the organization you represent, if any. We use this information to contact you for purposes related to the meeting, such as to confirm your registration, to advise you of any changes in the meeting, or to assure that we have sufficient materials to distribute to all attendees. We may also use the information you provide for public record purposes such as posting publicly available transcripts and meeting minutes.

*Routine Uses and Sharing:* In general, DHS will not use the information you provide for any purpose other than the Principal Purposes, and will not share this information within or outside the agency. In certain circumstances, DHS may share this information on a case-by-case basis as required by law or as necessary for a specific purpose, as described in the DHS/ALL–002 Mailing and Other Lists System of Records Notice (November 25, 2008, 73 FR 71659).

*Effects of Not Providing Information:* You may choose not to provide the requested information or to provide only some of the information DHS requests. If you choose not to provide some or all of the requested information, DHS may not be able to contact you for purposes related to the meeting.

*Accessing and Correcting Information:* If you are unable to access or correct this information by using the method that you originally used to submit it, you may direct your request in writing to the DHS Deputy Chief FOIA Officer at [foia@hq.dhs.gov](mailto:foia@hq.dhs.gov). Additional instructions are available at <http://www.dhs.gov/foia> and in the DHS/ALL–002 Mailing and Other Lists System of Records referenced above.

Dated: February 4, 2019.

**Philip S. Kaplan,**  
*Chief Privacy Officer, Department of Homeland Security.*

[FR Doc. 2019–01682 Filed 2–7–19; 8:45 am]

**BILLING CODE 9110–9L–P**

## DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS–2019–0003]

### Homeland Security Advisory Council

**AGENCY:** Office of Partnership and Engagement (OPE), Department of Homeland Security (DHS).

**ACTION:** Notice of open teleconference federal advisory committee meeting.

**SUMMARY:** The Homeland Security Advisory Council (“HSAC” or