



U.S. Customs and
Border Protection

December 15, 2020

The Honorable Robert Soto
Lipan Apache Tribe of Texas
PO Box 5219
McAllen, TX 78502

VIA U.S. MAIL AND ELECTRONIC MAIL: robsoto49@lipanapache.org

SUBJECT: Archaeological Sites Identified Ahead of Construction in Rio Grande Valley

Dear Vice Chairman Soto,

U.S. Customs and Border Protection (CBP) is constructing border wall system within Starr and Hidalgo counties, Texas. In preparing for upcoming construction work, several archaeological sites of potential cultural significance have been identified.

The Secretary of Homeland Security, pursuant to the authority granted under Section 102(c) of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA), issued a waiver on October 10, 2018 covering the Fiscal Year 2019 Rio Grande Valley wall projects at issue here. Although the Secretary's waiver means that CBP no longer has legal obligation under the laws included in the waiver, such as the National Historic Preservation Act (NHPA) and the Native American Graves Protection and Repatriation Act (NAGPRA), the Secretary committed DHS and CBP to responsible environmental stewardship of the nation's valuable natural and cultural resources.

If the Lipan Apache Tribe of Texas is interested in learning more about the next steps for the identified sites, please send an email to CBP at RGVComments@cbp.gov by January 4, 2021 indicating how you would like to be involved and your tribe's point of contact.

Thank you for your interest and coordination on this project.

Respectfully,

A handwritten signature in blue ink that reads "Paul Enriquez".

Paul Enriquez
Acquisition, Real Estate and Environmental Director
Infrastructure Portfolio

Vice Chairman Robert Soto

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Program Management Office Directorate
U.S. Border Patrol