

AMENDMENT TO RULES COMMITTEE PRINT 119-

33

OFFERED BY MR. SCHWEIKERT OF ARIZONA

At the end of subtitle B of title XVII, insert the following new section:

1 **SEC. 17__ . U.S. CUSTOMS AND BORDER PROTECTION IM-**
2 **PLEMENTATION OF LARGE-SCALE, NON-IN-**
3 **TRUSIVE INSPECTION TECHNOLOGY AT CER-**
4 **TAIN LAND PORTS OF ENTRY.**

5 (a) IN GENERAL.—Subtitle B of title IV of the
6 Homeland Security Act of 2002 (6 U.S.C. 211 et seq.)
7 is amended by adding at the end the following new section:

8 **“SEC. 420. LARGE-SCALE, NON-INTRUSIVE INSPECTION**
9 **TECHNOLOGY AT LAND PORTS OF ENTRY**
10 **IDENTIFIED AS HIGH RISK.**

11 “(a) IN GENERAL.—Not later than one year after the
12 date of the enactment of this section, the Secretary, acting
13 through the Commissioner of U.S. Customs and Border
14 Protection (in this section referred to as the ‘Commis-
15 sioner’), shall establish an annual process to identify the
16 land ports of entry that, on the basis of drug seizure vol-
17 ume, are either of the following:

1 “(1) At or above the 70th percentile of all land
2 ports of entry with respect to the northern border of
3 the United States.

4 “(2) At or above the 70th percentile of all land
5 ports of entry with respect to the southern border of
6 the United States.

7 “(b) HIGH-RISK PORT.—A land port of entry identi-
8 fied under subsection (a) shall be referred to as a ‘high-
9 risk port’.

10 “(c) IMPLEMENTATION.—Not later than one year
11 after the Commissioner identifies a high-risk port under
12 subsection (a), the Commissioner shall carry out the fol-
13 lowing:

14 “(1) Implement in the screening of cargo at
15 such port large-scale, non-intrusive inspection tech-
16 nology, unless the Commissioner determines, based
17 on metrics and criteria established under paragraph
18 (2), that such technology is not effective.

19 “(2) Establish metrics and criteria for deter-
20 mining the effectiveness of such technology.

21 “(d) SCREENING.—Beginning not later than one year
22 after large-scale, non-intrusive inspection technology has
23 been implemented at a high-risk port pursuant to sub-
24 section (c)(1), the Commissioner shall utilize such tech-
25 nology in the screening of the following:

1 “(1) Not less than 40 percent of the passenger
2 vehicles entering the United States through such
3 port and for which such technology is feasible for
4 such screening.

5 “(2) Not less than 70 percent of the commer-
6 cial vehicles entering the United States through such
7 port and for which such technology is feasible for
8 such screening.

9 “(e) TRAINING.—The Commissioner shall ensure rel-
10 evant personnel of U.S. Customs and Border Protection
11 receive training on any large-scale, non-intrusive inspec-
12 tion technology implemented pursuant to subsection
13 (c)(1).

14 “(f) NEW TECHNOLOGY.—Not later than one year
15 after large-scale, non-intrusive inspection technology has
16 been implemented pursuant to subsection (c)(1) and annu-
17 ally thereafter, the Commissioner shall seek to identify
18 technology that satisfies the following requirements:

19 “(1) Has not been so implemented.

20 “(2) Has potential to improve the screening of
21 cargo at high-risk ports.

22 “(g) REPORTS.—Not later than one year after large-
23 scale, non-intrusive inspection technology has been imple-
24 mented pursuant to paragraph (1) of subsection (e) and
25 annually thereafter, the Commissioner shall submit to

1 Congress a report that includes information relating to the
2 following for the annual period covered by such report:

3 “(1) The effectiveness of such technology, based
4 on metrics and criteria established under paragraph
5 (2) of such subsection.

6 “(2) The technology, if any, identified pursuant
7 to subsection (f).

8 “(h) LARGE SCALE, NON-INTRUSIVE INSPECTION
9 TECHNOLOGY DEFINED.—In this section, the term ‘large-
10 scale, non-intrusive inspection technology’ means an x-ray,
11 gamma-ray, or other passive imaging system, that satisfies
12 the following requirements:

13 “(1) Can be utilized to inspect cargo for contra-
14 band, hazards, and anomalies that indicate potential
15 threats.

16 “(2) Any other requirement the Commissioner
17 determines appropriate.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 in section 1(b) of the Homeland Security Act of 2002 is
20 amended by inserting after the item relating to section
21 419 the following new item:

“Sec. 420. Large-scale, non-intrusive inspection technology at land ports of
entry identified as high risk.”.

