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To establish a pilot program to assess the use of technology to speed up and enhance the cargo inspection process at land ports of entry along the border.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2025

Mr. CORNYN (for himself, Ms. HASSAN, Mr. LANKFORD, Mr. JUSTICE, Mr. KELLY, Mr. HEINRICH, Mr. LUJÁN, Mr. MORENO, Mr. TILLIS, Mrs. CAPITO, and Mrs. BLACKBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To establish a pilot program to assess the use of technology to speed up and enhance the cargo inspection process at land ports of entry along the border.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLES.**

4 This Act may be cited as the “Contraband Awareness
5 Technology Catches Harmful Fentanyl Act” or the
6 “CATCH Fentanyl Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means—

4 (A) the Committee on Homeland Security
5 and Governmental Affairs of the Senate; and

6 (B) the Committee on Homeland Security
7 of the House of Representatives.

8 (2) ARTIFICIAL INTELLIGENCE; AI.—The terms
9 “artificial intelligence” and “AI” have the meaning
10 given the term “artificial intelligence” in section
11 238(g) of the John S. McCain National Defense Au-
12 thorization Act for Fiscal Year 2019 (Public Law
13 115–232; 10 U.S.C. 4061 note).

14 (3) CBP INNOVATION TEAM.—The term “CBP
15 Innovation Team” means the U.S. Customs and
16 Border Protection Innovation Team within the Of-
17 fice of the Commissioner.

18 (4) NONINTRUSIVE INSPECTION TECHNOLOGY;
19 NII TECHNOLOGY.—The terms “nonintrusive inspec-
20 tion technology” and “NII technology” means tech-
21 nical equipment and machines, such as X-ray or
22 gamma-ray imaging equipment, that allow cargo in-
23 spections without the need to open the means of
24 transport and unload the cargo.

1 (5) PILOT PROJECTS.—The term “pilot
2 projects” means the projects required under section
3 3(a) for testing and assessing the use of technologies
4 to improve the inspection process at land ports of
5 entry.

6 (6) SECRETARY.—The term “Secretary” means
7 the Secretary of Homeland Security.

8 **SEC. 3. PILOT PROJECTS ALLOWING ADDITIONAL TECH-**
9 **NOLOGY PROVIDERS TO PARTICIPATE IN IN-**
10 **SPECTING CARS, TRUCKS, AND CARGO CON-**
11 **TAINERS AT CERTAIN PORTS OF ENTRY.**

12 (a) ESTABLISHMENT.—

13 (1) IN GENERAL.—Not later than 1 year after
14 the date of the enactment of this Act, the Secretary,
15 acting through CBP Innovation Team, and in co-
16 ordination with the Office of Field Operations and
17 the Department of Homeland Security Science and
18 Technology Directorate, shall begin the implementa-
19 tion of pilot projects for testing and assessing the
20 use of technologies or technology enhancements to
21 improve the process for inspecting, including by in-
22 creasing efficiencies of such inspections, any convey-
23 ance or mode of transportation at land ports of
24 entry along the borders of the United States. The
25 technologies or technology enhancements tested and

1 assessed under the pilot projects shall be for the
2 purpose of assisting U.S. Customs and Border Pro-
3 tection personnel to detect contraband, illegal drugs,
4 illegal weapons, human smuggling, and threats on
5 inbound and outbound traffic, in conjunction with
6 the use of imaging equipment, radiation portal mon-
7 itors, and chemical detectors.

8 (2) REQUIREMENTS.—

9 (A) IN GENERAL.—In implementing the
10 pilot projects at ports of entry, the CBP Inno-
11 vation Team, in coordination with the Depart-
12 ment of Homeland Security Science and Tech-
13 nology Directorate, shall test and collect data
14 regarding not fewer than 5 types of nonintru-
15 sive inspection technology enhancements that
16 can be deployed at land ports of entry. The
17 CBP Innovation Team shall test technology en-
18 hancements from at least 1 of the following cat-
19 egories:

- 20 (i) Artificial intelligence.
- 21 (ii) Machine learning.
- 22 (iii) High-performance computing.
- 23 (iv) Quantum information sciences, in-
24 cluding quantum sensing.
- 25 (v) Other emerging technologies.

1 (B) IDENTIFICATION OF EFFECTIVE EN-
2 HANCEMENTS.—The pilot projects shall identify
3 the most effective types of technology enhance-
4 ments to improve the capabilities of nonintru-
5 sive inspection systems and other inspection
6 systems used at land ports of entry based on—

7 (i) the technology enhancement’s abil-
8 ity to assist U.S. Customs and Border
9 Protection accurately detect contraband, il-
10 legal drugs, illegal weapons, human smug-
11 gling, or threats in inbound and outbound
12 traffic;

13 (ii) the technology enhancement’s abil-
14 ity to increase efficiencies of inspections to
15 assist U.S. Customs and Border Protection
16 address long wait times;

17 (iii) the technology enhancement’s
18 ability to improve capabilities of aging de-
19 tection equipment and infrastructure at
20 land ports of entry;

21 (iv) the technology enhancement’s
22 safety relative to As Low As Reasonably
23 Achievable (ALARA) standard practices;

1 (v) the ability to integrate the new
2 technology into the existing workflow and
3 infrastructure;

4 (vi) the technology enhancement's
5 ability to incorporate automatic threat rec-
6 ognition technology using standard formats
7 and open architecture;

8 (vii) the mobility of technology en-
9 hancements; and

10 (viii) other performance measures
11 identified by the CBP Innovation Team.

12 (C) PRIVATE SECTOR INVOLVEMENT.—The
13 CBP Innovation Team may solicit input from
14 representatives of the private sector regarding
15 commercially viable technologies.

16 (D) COST EFFECTIVENESS REQUIRE-
17 MENT.—In identifying the most effective types
18 of technology enhancements under subpara-
19 graph (B), the pilot projects shall prioritize so-
20 lutions that demonstrate the highest cost-effec-
21 tiveness in achievement the objectives described
22 in clauses (i) through (ix) of subparagraph (B).
23 Cost effectiveness shall account for improved
24 detection capabilities, increased inspection effi-
25 ciencies, reduced wait times, and total cost of

1 implementation (including infrastructure up-
2 grades and maintenance expenses).

3 (3) NONINTRUSIVE INSPECTION SYSTEMS PRO-
4 GRAM.—The CBP Innovation Team shall work with
5 existing nonintrusive inspection systems programs
6 within U.S. Customs and Border Protection when
7 planning and developing the pilot projects required
8 under paragraph (1).

9 (4) DATA PRIVACY PROTECTIONS.—In imple-
10 menting the pilot projects and utilizing new tech-
11 nologies, the Secretary shall safeguard the privacy
12 and security of personal data collected during in-
13 spections through appropriate measures, including—

14 (A) adherence to relevant privacy laws and
15 regulations;

16 (B) implementation of data anonymization
17 techniques, if applicable; and

18 (C) regular audits to assess compliance
19 with data privacy standards.

20 (5) SCIENCE AND TECHNOLOGY DIREC-
21 TORATE.—The CBP Innovation Team shall work
22 with the Department of Homeland Security Science
23 and Technology Directorate to align existing non-
24 intrusive inspection research and development efforts
25 within the Science and Technology Directorate when

1 planning and developing pilot projects required
2 under paragraph (1).

3 (b) TERMINATION.—The pilot projects shall termi-
4 nate on the date that is 5 years after the date of the enact-
5 ment of this Act.

6 (c) REPORTS REQUIRED.—Not later than 3 years
7 after the date of the enactment of this Act, and 180 days
8 after the termination of the pilot projects pursuant to sub-
9 section (b), the Secretary shall submit a report to the ap-
10 propriate congressional committees that contains—

11 (1) an analysis of the effectiveness of tech-
12 nology enhancements tested based on the require-
13 ments described in subsection (a)(2);

14 (2) any recommendations from the testing and
15 analysis concerning the ability to utilize such tech-
16 nologies at all land ports of entry;

17 (3) a plan to utilize new technologies that meet
18 the performance goals of the pilot projects across all
19 U.S. Customs and Border Protection land ports of
20 entry at the border, including total costs and a
21 breakdown of the costs of such plan, including any
22 infrastructure improvements that may be required to
23 accommodate recommended technology enhance-
24 ments;

1 (4) a comprehensive list of existing technologies
2 owned and utilized by U.S. Customs and Border
3 protection for cargo and vehicle inspection, includ-
4 ing—

5 (A) details on the implementation status of
6 such technologies, such as whether the tech-
7 nologies have been fully installed and utilized,
8 or whether there are challenges with the instal-
9 lation and utilization of the technology;

10 (B) an evaluation of the compatibility,
11 interoperability, and scalability of existing cargo
12 and vehicle inspection technologies within U.S.
13 Customs and Border Protection’s physical and
14 information technology infrastructure; and

15 (C) identification of any obstacles to the
16 effective deployment and integration of such
17 technologies; and

18 (5) the analysis described in subsection (d).

19 (d) AREAS OF ANALYSIS.—The report required under
20 subsection (c) shall include an analysis containing—

21 (1) quantitative measurements of performance
22 based on the requirements described in subsection
23 (a)(2) of each technology tested compared with the
24 status quo to reveal a broad picture of the perform-

1 ance of technologies and technology enhancements,
2 such as—

3 (A) the probability of detection, false alarm
4 rate, and throughput; and

5 (B) an analysis determining whether such
6 observed performance represents a significant
7 increase, decrease, or no change compared with
8 current systems;

9 (2) an assessment of the relative merits of each
10 such technology;

11 (3) any descriptive trends and patterns ob-
12 served; and

13 (4) performance measures for—

14 (A) the technology enhancement's ability to
15 assist with the detection of contraband on in-
16 bound and outbound traffic through automated
17 (primary) inspection by measuring and report-
18 ing the probability of detection and false alarm
19 rate for each NII system under operational con-
20 ditions;

21 (B) the throughput of cargo through each
22 NII system with a technology enhancement, in-
23 cluding a breakdown of the time needed for
24 U.S. Customs and Border Protection—

1 (i) to complete the image review proc-
2 ess and clear low-risk shipments; and

3 (ii) to complete additional inspections
4 of high-risk items;

5 (C) changes in U.S. Customs and Border
6 Protection officer time commitments and per-
7 sonnel needs to sustain high volume NII scan-
8 ning operations when technology enhancements
9 are utilized; and

10 (D) operational costs, including—

11 (i) estimated implementation costs for
12 each NII system with technology enhance-
13 ments; and

14 (ii) estimated cost savings due to im-
15 proved efficiency due to technology en-
16 hancements, if applicable.

17 (e) PRIVACY AND CIVIL LIBERTIES REPORTS.—The
18 Secretary, in consultation with the CBP Innovation Team
19 and other appropriate offices—

20 (1) prior to the implementation of the tech-
21 nologies referred to in this section, shall submit—

22 (A) a report or reports to the appropriate
23 congressional committees regarding the poten-
24 tial privacy, civil liberties, and civil rights im-
25 pacts of technologies being tested under the

1 pilot projects pursuant to this section, including
 2 an analysis of the impacts of the technology en-
 3 hancements on individuals crossing the United
 4 States border; and

5 (B) recommendations for mitigation meas-
 6 ures to address any identified impacts; and

7 (2) not later than 180 days after the termi-
 8 nation of the pilot projects pursuant to subsection
 9 (b), shall submit a report to the appropriate con-
 10 gressional committees containing—

11 (A) findings on the impacts to privacy,
 12 civil rights, and civil liberties resulting from the
 13 pilot projects;

14 (B) recommendations for mitigating these
 15 impacts in implementation of approved tech-
 16 nologies; and

17 (C) any additional recommendations based
 18 on the lessons learned from the pilot projects.

19 **SEC. 4. PROHIBITION ON NEW APPROPRIATIONS.**

20 No additional funds are authorized to be appro-
 21 priated to carry out this Act.

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