

118TH CONGRESS  
1ST SESSION

# S. 1822

To require U.S. Customs and Border Protection to expand the use of non-intrusive inspection systems at land ports of entry.

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IN THE SENATE OF THE UNITED STATES

JUNE 6, 2023

Mr. PETERS (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To require U.S. Customs and Border Protection to expand the use of non-intrusive inspection systems at land ports of entry.

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 TITLE.**

4 This Act may be cited as the “Non-Intrusive Inspec-  
5 tion Expansion Act”.

6 **SEC. 2. USE OF NON-INTRUSIVE INSPECTION SYSTEMS AT**  
7 **LAND PORTS OF ENTRY.**

8 (a) FISCAL YEAR 2026.—Using non-intrusive inspec-  
9 tion systems acquired through previous appropriations

1 Acts, beginning not later than September 30, 2026, U.S.  
2 Customs and Border Protection shall use non-intrusive in-  
3 spection systems at land ports of entry to scan not fewer  
4 than—

5           (1) 40 percent, cumulatively, of passenger vehi-  
6           cles entering the United States through land ports  
7           of entry; and

8           (2) 90 percent, cumulatively, of commercial ve-  
9           hicles entering the United States through land ports  
10          of entry.

11          (b) SUBSEQUENT FISCAL YEARS.—Beginning in fis-  
12 cal year 2027, U.S. Customs and Border Protection shall  
13 use non-intrusive inspection systems at land ports of entry  
14 to reach the next projected benchmark for incremental  
15 scanning of passenger and commercial vehicles entering  
16 the United States at such ports of entry.

17          (c) BRIEFING.—Not later than May 30, 2026, the  
18 Commissioner of U.S. Customs and Border Protection  
19 shall brief the Committee on Homeland Security and Gov-  
20 ernmental Affairs of the Senate and the Committee on  
21 Homeland Security of the House of Representatives re-  
22 garding the progress made during the first half of fiscal  
23 year 2026 in achieving the scanning benchmarks described  
24 in subsection (a).

1 (d) REPORT.—If the scanning benchmarks described  
2 in subsection (a) are not met by the end of fiscal year  
3 2026, not later than 120 days after the end of that fiscal  
4 year, the Commissioner of U.S. Customs and Border Pro-  
5 tection shall submit a report to the Committee on Home-  
6 land Security and Governmental Affairs of the Senate and  
7 the Committee on Homeland Security of the House of  
8 Representatives that—

9 (1) analyzes the causes for not meeting such re-  
10 quirements;

11 (2) identifies any resource gaps and challenges;  
12 and

13 (3) details the steps that will be taken to ensure  
14 compliance with such requirements in the subse-  
15 quent fiscal year.

16 **SEC. 3. NON-INTRUSIVE INSPECTION SYSTEMS FOR OUT-**  
17 **BOUND INSPECTIONS.**

18 (a) FEASIBILITY STUDY.—Not later than 270 days  
19 after the date of the enactment of this Act, the Commis-  
20 sioner of U.S. Customs and Border Protection shall sub-  
21 mit a report to the Committee on Homeland Security and  
22 Governmental Affairs of the Senate and the Committee  
23 on Homeland Security of the House of Representatives  
24 that analyzes the feasibility of using non-intrusive inspec-  
25 tion systems to scan 10 percent of all vehicles exiting the

1 United States through land ports of entry with equipment  
2 available on the date of the enactment of this Act.

3 (b) IMPLEMENTATION.—Beginning not later than  
4 September 30, 2026, U.S. Customs and Border Protection  
5 shall use non-intrusive inspection systems at land ports  
6 of entry to scan not fewer than 10 percent of all vehicles  
7 exiting the United States through land ports of entry.

8 **SEC. 4. GAO REVIEW AND REPORT.**

9 (a) REVIEW.—

10 (1) IN GENERAL.—The Comptroller General of  
11 the United States shall conduct a review of the use  
12 by U.S. Customs and Border Protection of non-in-  
13 trusive inspection systems for border security.

14 (2) ELEMENTS.—The review required under  
15 paragraph (1) shall—

16 (A) identify—

17 (i) the number and types of non-intru-  
18 sive inspection systems deployed by U.S.  
19 Customs and Border Protection; and

20 (ii) the locations to which such sys-  
21 tems have been deployed; and

22 (B) examine the manner in which U.S.  
23 Customs and Border Protection—

24 (i) assesses the effectiveness of such  
25 systems; and

1                   (ii) uses such systems in conjunction  
2                   with other border security resources and  
3                   assets, such as border barriers and tech-  
4                   nology, to detect and interdict drug smug-  
5                   gling and trafficking at the southwest bor-  
6                   der of the United States.

7           (b) REPORT.—Not later than 2 years after the date  
8           of the enactment of this Act, the Comptroller General shall  
9           submit a report to the Committee on Homeland Security  
10          and Governmental Affairs of the Senate and the Com-  
11          mittee on Homeland Security of the House of Representa-  
12          tives containing the findings of the review conducted pur-  
13          suant to subsection (a).

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