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(Original Signature of Member)

115TH CONGRESS  
2D SESSION

# H. R. 6400

To require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mrs. LESKO introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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## A BILL

To require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

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 “United States Ports  
5 of Entry Threat and Operational Review Act”.

6 **SEC. 2. PORTS OF ENTRY THREAT AND OPERATIONAL**  
7 **ANALYSIS.**

8 (a) IN GENERAL.—

1           (1) REQUIREMENT.—Not later than 180 days  
2 after the date of the enactment of this Act, the Sec-  
3 retary of Homeland Security, acting through the  
4 Commissioner of U.S. Customs and Border Protec-  
5 tion, shall submit to the Committee on Homeland  
6 Security and the Committee on Ways and Means of  
7 the House of Representatives and the Committee on  
8 Homeland Security and Governmental Affairs and  
9 the Committee on Finance of the Senate a threat  
10 and operational analysis of ports of entry.

11           (2) CONTENTS.—The threat and operational  
12 analysis required under paragraph (1) shall include  
13 an assessment of the following:

14           (A) Current and potential threats posed by  
15 individuals and organized groups seeking—

16                   (i) to exploit security vulnerabilities at  
17 ports of entry; or

18                   (ii) to unlawfully enter the United  
19 States through such ports of entry.

20           (B) Methods and pathways used to exploit  
21 security vulnerabilities at ports of entry.

22           (C) Improvements needed at ports of entry  
23 to prevent the unlawful movement of people, il-  
24 licit drugs, and other contraband across the  
25 borders of the United States.

1 (D) Improvements needed to enhance trav-  
2 el and trade facilitation and reduce wait times  
3 at ports of entry, including—

4 (i) security vulnerabilities associated  
5 with prolonged wait times;

6 (ii) current technology at ports of  
7 entry that can be adapted to handle more  
8 volume, increase efficiency, and improve  
9 accuracy of detection efforts; and

10 (iii) infrastructure additions and up-  
11 grades.

12 (E) Processes conducted at ports of entry  
13 that do not require law enforcement training  
14 and could be filled with non-law enforcement  
15 staff, the private sector, or automated.

16 (3) ANALYSIS REQUIREMENTS.—In compiling  
17 the threat and operational analysis required under  
18 paragraph (1), the Secretary of Homeland Security,  
19 acting through the Commissioner of U.S. Customs  
20 and Border Protection, shall consider and examine  
21 the following:

22 (A) Personnel needs, including K-9 Units,  
23 and estimated costs, at each port of entry, in-  
24 cluding such needs and challenges associated  
25 with recruitment and hiring.

1 (B) Technology needs, including radiation  
2 portal monitors and non-intrusive inspection  
3 technology, and estimated costs at each port of  
4 entry.

5 (C) Infrastructure needs and estimated  
6 costs at each port of entry.

7 (b) PORTS OF ENTRY STRATEGY AND IMPLEMENTA-  
8 TION PLAN.—

9 (1) IN GENERAL.—Not later than 270 days  
10 after the submission of the threat and operational  
11 analysis required under subsection (a) and every five  
12 years thereafter for ten years, the Secretary of  
13 Homeland Security, acting through the Commis-  
14 sioner of U.S. Customs and Border Protection  
15 (CBP), shall provide to the Committee on Homeland  
16 Security and the Committee on Ways and Means of  
17 the House of Representatives and the Committee on  
18 Homeland Security and Governmental Affairs and  
19 the Committee on Finance of the Senate a ports of  
20 entry strategy and implementation plan.

21 (2) CONTENTS.—The ports of entry strategy  
22 and implementation plan required under paragraph  
23 (1) shall include a consideration of the following:

24 (A) The ports of entry threat and oper-  
25 ational analysis required under subsection (a),

1 with an emphasis on efforts to mitigate threats  
2 and challenges identified in such analysis.

3 (B) Efforts to reduce wait times at ports  
4 of entry and standards against which the effec-  
5 tiveness of such efforts may be determined.

6 (C) Efforts to prevent the unlawful move-  
7 ment of people, illicit drugs, and other contra-  
8 band across the borders of the United States at  
9 the earliest possible point at ports of entry and  
10 standards against which the effectiveness of  
11 such efforts may be determined.

12 (D) Efforts to focus intelligence collection  
13 and information analysis to disrupt  
14 transnational criminal organizations attempting  
15 to exploit vulnerabilities at ports of entry and  
16 standards against which the effectiveness of  
17 such efforts may be determined.

18 (E) Efforts to verify that any new port of  
19 entry technology acquisition can be operation-  
20 ally integrated with existing technologies in use  
21 by the Department of Homeland Security.

22 (F) Lessons learned from reports on the  
23 business transformation initiative under section  
24 802(i)(1) of the Trade Facilitation and Trade

1 Enforcement Act of 2015 (Public Law 114–  
2 125).

3 (G) CBP staffing requirements for all  
4 ports of entry.

5 (H) Efforts to identify and detect fraudu-  
6 lent documents at ports of entry and standards  
7 against which the effectiveness of such efforts  
8 may be determined.

9 (I) Efforts to prevent, detect, investigate,  
10 and mitigate corruption at ports of entry and  
11 standards against which the effectiveness of  
12 such efforts may be determined.

13 (c) PORTS OF ENTRY DESCRIBED.—In this section,  
14 the term “ports of entry” means United States air, land,  
15 and sea ports of entry.