

116TH CONGRESS
2D SESSION

S. _____

To require the Secretary of Homeland Security to assess technology needs along the Southern border and develop a strategy for bridging such gaps.

IN THE SENATE OF THE UNITED STATES

Ms. SINEMA (for herself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require the Secretary of Homeland Security to assess technology needs along the Southern border and develop a strategy for bridging such gaps.

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 “Southwest Border Se-
5 curity Technology Improvement Act of 2020”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) APPROPRIATE CONGRESSIONAL COMMIT-
9 TEES.—The term “appropriate congressional com-
10 mittees” means—

1 (A) the Committee on Homeland Security
2 and Governmental Affairs of the Senate; and

3 (B) the Committee on Homeland Security
4 of the House of Representatives.

5 (2) DEPARTMENT.—The term “Department”
6 means the Department of Homeland Security.

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

9 (4) SOUTHWEST BORDER.—The term “South-
10 west border” means the international land border
11 between the United States and Mexico, including the
12 ports of entry along such border.

13 **SEC. 3. SOUTHERN BORDER TECHNOLOGY NEEDS ANAL-**
14 **YSIS AND UPDATES.**

15 (a) TECHNOLOGY NEEDS ANALYSIS.—Not later than
16 1 year after the date of the enactment of this Act, the
17 Secretary shall submit, to the appropriate congressional
18 committees, a technology needs analysis for border secu-
19 rity technology along the Southwest border.

20 (b) CONTENTS.—The analysis required under sub-
21 section (a) shall include an assessment of—

22 (1) the technology needs and gaps along the
23 Southwest border—

24 (A) to prevent terrorists and instruments
25 of terror from entering the United States;

1 (B) to combat and reduce cross-border
2 criminal activity, including, but not limited to—

3 (i) the transport of illegal goods, such
4 as illicit drugs; and

5 (ii) human smuggling and human
6 trafficking; and

7 (C) to facilitate the flow of legal trade
8 across the Southwest border;

9 (2) recent technological advancements in—

10 (A) manned aircraft sensor, communica-
11 tion, and common operating picture technology;

12 (B) unmanned aerial systems and related
13 technology, including counter-unmanned aerial
14 system technology;

15 (C) surveillance technology, including—

16 (i) mobile surveillance vehicles;

17 (ii) associated electronics, including
18 cameras, sensor technology, and radar;

19 (iii) tower-based surveillance tech-
20 nology;

21 (iv) advanced unattended surveillance
22 sensors; and

23 (v) deployable, lighter-than-air,
24 ground surveillance equipment;

1 (D) nonintrusive inspection technology, in-
2 cluding non-X-ray devices utilizing muon to-
3 mography and other advanced detection tech-
4 nology;

5 (E) tunnel detection technology; and

6 (F) communications equipment, includ-
7 ing—

8 (i) radios;

9 (ii) long-term evolution broadband;

10 and

11 (iii) miniature satellites;

12 (3) any other technological advancements that
13 the Secretary determines to be critical to the De-
14 partment's mission along the Southwest border;

15 (4) whether the use of the technological ad-
16 vances described in paragraphs (2) and (3) will—

17 (A) improve border security;

18 (B) improve the capability of the Depart-
19 ment to accomplish its mission along the South-
20 west border;

21 (C) reduce technology gaps along the
22 Southwest border; and

23 (D) enhance the safety of any officer or
24 agent of the Department or any other Federal
25 agency;

1 (5) the Department's ongoing border security
2 technology development efforts, including efforts
3 by—

4 (A) U.S. Customs and Border Protection;

5 (B) the Science and Technology Direc-
6 torate; and

7 (C) the technology assessment office of any
8 other operational component;

9 (6) the technology needs for improving border
10 security, such as—

11 (A) information technology or other com-
12 puter or computing systems data capture;

13 (B) biometrics;

14 (C) cloud storage; and

15 (D) intelligence data sharing capabilities
16 among agencies within the Department;

17 (7) any other technological needs or factors, in-
18 cluding border security infrastructure, such as phys-
19 ical barriers or dual-purpose infrastructure, that the
20 Secretary determines should be considered; and

21 (8) currently deployed technology or new tech-
22 nology that would improve the Department's abil-
23 ity—

1 (A) to reasonably achieve operational control and situational awareness along the Southwest border; and

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4 (B) to collect metrics for securing the border at and between ports of entry, as required under subsections (b) and (c) of section 1092 of division A of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223).

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9 (c) UPDATES.—

10 (1) IN GENERAL.—Not later than 1 year after the submission of the analysis required under subsection (a), and annually for the following 4 years, the Secretary shall submit an update to such analysis to the appropriate congressional committees.

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15 (2) CONTENTS.—Each update required under paragraph (1) shall include a plan for utilizing the resources of the Department to meet the border security technology needs and gaps identified pursuant to subsection (b), including developing or acquiring technologies not currently in use by the Department that would allow the Department to bridge existing border technology gaps along the Southwest border.

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23 (d) ITEMS TO BE CONSIDERED.—In compiling the
24 technology needs analysis and updates required under this
25 section, the Secretary shall consider and examine—

1 (1) technology that is deployed and is sufficient
2 for the Department's use along the Southwest bor-
3 der;

4 (2) technology that is deployed, but is insuffi-
5 cient for the Department's use along the Southwest
6 border; and

7 (3) technology that is not deployed, but is nec-
8 essary for the Department's use along the Southwest
9 border;

10 (4) current formal departmental requirements
11 documentation examining current border security
12 threats and challenges faced by any component of
13 the Department;

14 (5) trends and forecasts regarding migration
15 across the Southwest border;

16 (6) the impact on projected staffing and deploy-
17 ment needs for the Department, including staffing
18 needs that may be fulfilled through the use of tech-
19 nology;

20 (7) the needs and challenges faced by employees
21 of the Department who are deployed along the
22 Southwest border;

23 (8) the need to improve cooperation among
24 Federal, State, tribal, local, and Mexican law en-

1 forcement entities to enhance security along the
2 Southwest border;

3 (9) the privacy implications of existing tech-
4 nology and the acquisition and deployment of new
5 technologies and supporting infrastructure, with an
6 emphasis on how privacy risks might be mitigated
7 through the use of technology, training, and policy;

8 (10) the impact of any ongoing public health
9 emergency that impacts the Southwest border; and

10 (11) the ability of, and the needs for, the De-
11 partment to assist with search and rescue efforts for
12 individuals or groups that may be in physical danger
13 or in need of medical assistance.

14 (e) CLASSIFIED FORM.—To the extent possible, the
15 Secretary shall submit the technology needs analysis and
16 updates required under this section in unclassified form,
17 but may submit such documents, or portions of such docu-
18 ments, in classified form if the Secretary determines that
19 such action is appropriate.