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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R.

To require the Secretary of Homeland Security to develop a plan to identify, integrate, and deploy new, innovative, disruptive, or other emerging or advanced technologies to enhance, or address capability gaps in, border security operations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CORREA introduced the following bill; which was referred to the
Committee on _____

A BILL

To require the Secretary of Homeland Security to develop a plan to identify, integrate, and deploy new, innovative, disruptive, or other emerging or advanced technologies to enhance, or address capability gaps in, border security operations, 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 “Emerging Innovative
5 Border Technologies Act”.

1 **SEC. 2. INNOVATIVE AND EMERGING BORDER TECH-**
2 **NOLOGY PLAN.**

3 (a) IN GENERAL.—Not later than 180 days after the
4 date of the enactment of this Act, the Secretary of Home-
5 land Security, acting through the Commissioner of U.S.
6 Customs and Border Protection (CBP) and the Under
7 Secretary for Science and Technology of the Department
8 of Homeland Security, shall submit to the Committee on
9 Homeland Security of the House of Representatives and
10 the Committee on Homeland Security and Governmental
11 Affairs of the Senate a plan to identify, integrate, and de-
12 ploy new, innovative, disruptive, or other emerging or ad-
13 vanced technologies that may incorporate artificial intel-
14 ligence, machine-learning, automation, fiber-optic sensing
15 technology, nanotechnology, optical and cognitive radar,
16 modeling and simulation technology, hyperspectral and
17 LIDAR sensors, imaging, identification, and categoriza-
18 tion systems, or other emerging or advanced technologies,
19 to enhance, or address capability gaps in, border security
20 operations.

21 (b) CONTENTS.—The plan required under subsection
22 (a) shall include the following:

23 (1) Information regarding how CBP utilizes
24 CBP Innovation Team authority under subsection
25 (c) and other mechanisms to carry out the purposes
26 specified in subsection (a).

1 (2) An assessment of the contributions directly
2 attributable to such utilization.

3 (3) Information regarding the composition of
4 each CBP Innovation Team, and how each such
5 Team coordinates and integrates efforts with the
6 CBP acquisition program office and other partners
7 within CBP and the Department of Homeland Secu-
8 rity.

9 (4) Identification of technologies used by other
10 Federal departments or agencies not in use by CBP
11 that could assist in enhancing, or addressing capa-
12 bility gaps in, border security operations.

13 (5) An analysis of authorities available to CBP
14 to procure technologies referred to subsection (a),
15 and an assessment as to whether additional or alter-
16 native authorities are needed to carry out the pur-
17 poses specified in such subsection.

18 (6) An explanation of how CBP plans to scale
19 existing programs related to emerging or advanced
20 technologies into programs of record.

21 (7) A description of each planned security-re-
22 lated technology program, including objectives, goals,
23 and timelines for each such program.

1 (8) An assessment of the privacy and security
2 impact on border communities of security-related
3 technology.

4 (9) An assessment of CBP legacy border tech-
5 nology programs that could be phased out and re-
6 placed by technologies referred to in subsection (a),
7 and cost estimates relating to such phase out and
8 replacement.

9 (10) Information relating to how CBP is coordi-
10 nating with the Department of Homeland Security's
11 Science and Technology Directorate to—

12 (A) research and develop new, innovative,
13 disruptive, or other emerging or advanced tech-
14 nologies to carry out the purposes specified in
15 subsection (a);

16 (B) identify security-related technologies
17 that are in development or deployed by the pri-
18 vate and public sectors that may satisfy the
19 mission needs of CBP, with or without adapta-
20 tion;

21 (C) incentivize the private sector to develop
22 technologies that may help CBP meet mission
23 needs to enhance, or address capability gaps in,
24 border security operations; and

1 (D) identify and assess ways to increase
2 opportunities for communication and collabora-
3 tion with the private sector, small and dis-
4 advantaged businesses, intra-governmental enti-
5 ties, university centers of excellence, and Fed-
6 eral laboratories to leverage emerging tech-
7 nology and research within the public and pri-
8 vate sectors.

9 (11) Information on metrics and key perform-
10 ance parameters for evaluating the effectiveness of
11 efforts to identify, integrate, and deploy new, inno-
12 vative, disruptive, or other emerging or advanced
13 technologies to carry out the purposes specified in
14 subsection (a).

15 (12) An identification of recent technological
16 advancements in the following:

17 (A) Manned aircraft sensor, communica-
18 tion, and common operating picture technology.

19 (B) Unmanned aerial systems and related
20 technology, including counter-unmanned aerial
21 system technology.

22 (C) Surveillance technology, including the
23 following:

24 (i) Mobile surveillance vehicles.

1 (ii) Associated electronics, including
2 cameras, sensor technology, and radar.

3 (iii) Tower-based surveillance tech-
4 nology.

5 (iv) Advanced unattended surveillance
6 sensors.

7 (v) Deployable, lighter-than-air,
8 ground surveillance equipment.

9 (D) Nonintrusive inspection technology, in-
10 cluding non-X-ray devices utilizing muon to-
11 mography and other advanced detection tech-
12 nology.

13 (E) Tunnel detection technology.

14 (F) Communications equipment, including
15 the following:

16 (i) Radios.

17 (ii) Long-term evolution broadband.

18 (iii) Miniature satellites.

19 (13) Any other information the Secretary deter-
20 mines relevant.

21 (c) CBP INNOVATION TEAM AUTHORITY.—

22 (1) IN GENERAL.—The Commissioner of CBP
23 is authorized to maintain one or more CBP Innova-
24 tion Teams to research and adapt commercial tech-
25 nologies that are new, innovative, disruptive, or oth-

1 erwise emerging or advanced that may be used by
2 CBP to enhance, or address capability gaps in bor-
3 der security operations and urgent mission needs,
4 and assess potential outcomes, to include any nega-
5 tive consequences, of the introduction of emerging or
6 advanced technologies with respect to which docu-
7 mented capability gaps in border security operations
8 are yet to be determined.

9 (2) OPERATING PROCEDURES, PLANNING, STRA-
10 TEGIC GOALS.—The Commissioner of CBP shall re-
11 quire each team maintained pursuant to paragraph
12 (1) to establish the following:

13 (A) Operating procedures that include
14 specificity regarding roles and responsibilities
15 within each such team and with respect to De-
16 partment of Homeland Security and non-Fed-
17 eral partners, and protocols for entering into
18 agreements to rapidly transition such tech-
19 nologies to existing or new programs of record
20 to carry out the purposes specified in subsection
21 (a).

22 (B) Planning and strategic goals for each
23 such team that includes projected costs, time
24 frames, metrics, and key performance param-
25 eters relating to the achievement of identified

1 strategic goals, including a metric to measure
2 the rate at which technologies described in sub-
3 section (a) are transitioned to existing or new
4 programs of record in accordance with subpara-
5 graph (A)

6 (3) REPORTING.—Not later than 180 days after
7 the date of the enactment of this Act and annually
8 thereafter, the Commissioner of CBP shall submit to
9 the Committee on Homeland Security of the House
10 of Representatives and the Committee on Homeland
11 Security and Governmental Affairs of the Senate in-
12 formation relating to the activities CBP Innovation
13 Teams, including information regarding the fol-
14 lowing:

15 (A) Copies of operating procedures and
16 protocols under paragraph (2)(A) and planning
17 and strategic goals required under paragraph
18 (2)(B).

19 (B) Descriptions of the technologies piloted
20 by each such team over the immediately pre-
21 ceding fiscal year, including information regard-
22 ing which such technologies are determined suc-
23 cessful and an identification of documented ca-
24 pability gaps that are addressed.

1 (C) Information on the status of efforts to
2 rapidly transition technologies determined suc-
3 cessful to existing or new programs of record.