

115TH CONGRESS  
2D SESSION

# H. R. 4940

To increase the number of U.S. Customs and Border Protection officers and support staff, to require reports that identify staffing, infrastructure, and equipment needed to enhance security at ports of entry, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2018

Mr. VELA (for himself, Mr. THOMPSON of Mississippi, Mr. PAYNE, Ms. BARRAGÁN, Mrs. DEMINGS, Mr. CORREA, Ms. JACKSON LEE, and Miss RICE of New York) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To increase the number of U.S. Customs and Border Protection officers and support staff, to require reports that identify staffing, infrastructure, and equipment needed to enhance security at 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 “Border and Port Secu-  
5 rity Act”.

1 **SEC. 2. ADDITIONAL U.S. CUSTOMS AND BORDER PROTEC-**  
2 **TION PERSONNEL.**

3 (a) OFFICERS.—The Commissioner of U.S. Customs  
4 and Border Protection shall every fiscal year hire, train,  
5 and assign not fewer than 500 new officers above the level  
6 as of September 30 of the immediately preceding fiscal  
7 year until the total number of officers equals the require-  
8 ments identified each year in the Workload Staffing Model  
9 developed by the Commissioner.

10 (b) AGRICULTURAL SPECIALISTS.—The Commis-  
11 sioner of U.S. Customs and Border Protection shall every  
12 fiscal year hire, train, and assign not fewer than 100 new  
13 agricultural specialists above the level as of September 30  
14 of the immediately preceding fiscal year until the total  
15 number of officers equals the requirements identified each  
16 year in the Agriculture Resource Allocation Model devel-  
17 oped by the Commissioner.

18 (c) INVESTIGATORS.—The Commissioner of U.S.  
19 Customs and Border Protection shall every fiscal year  
20 hire, train, and assign 30 new full-time investigators with-  
21 in the Office of Professional Responsibility of U.S. Cus-  
22 toms and Border Protection until the total number of in-  
23 vestigators enables the Office to fulfill its mission propor-  
24 tionate to the number of new personnel hired in accord-  
25 ance with subsections (a) and (b).

1 (d) SUPPORT STAFF.—The Commissioner of U.S.  
2 Customs and Border Protection is authorized to hire,  
3 train, and assign support staff, including technicians, to  
4 perform non-law enforcement administrative functions to  
5 support the new officers hired pursuant to subsection (a).

6 (e) TRAFFIC FORECASTS.—In calculating the number  
7 of officers needed at each land, air, and maritime port of  
8 entry through the Workload Staffing Model, the Office of  
9 Field Operations of U.S. Customs and Border Protection  
10 shall—

11 (1) rely on data collected regarding the inspec-  
12 tions and other activities conducted at each such  
13 port of entry; and

14 (2) consider volume from seasonal surges, other  
15 projected changes in commercial and passenger vol-  
16 umes, the most current commercial forecasts, and  
17 other relevant information.

18 (f) AMENDMENT.—Subparagraph (A) of section  
19 411(g)(5) of the Homeland Security Act of 2002 (6  
20 U.S.C. 211(g)(5)) is amended—

21 (1) by striking “model” and inserting “mod-  
22 els”;

23 (2) by inserting “agricultural specialists,” be-  
24 fore “and support personnel”; and

1           (3) by inserting before the period at the end the  
2 following: “, and information concerning the  
3 progress made toward meeting officer, agriculture  
4 specialist, and support staff hiring targets, while ac-  
5 counting for attrition”.

6           (g) GAO REPORT.—If by September 30, 2020, the  
7 Commissioner of U.S. Customs and Border Protection has  
8 not hired at least 500 additional officers authorized under  
9 subsection (a) or at least 50 additional agriculture special-  
10 ists authorized under subsection (b), and in any subse-  
11 quent fiscal year in which the staffing levels specified in  
12 the Workload Staffing Model or Agriculture Resource Al-  
13 location Model for the Office of Field Operations have not  
14 been achieved, the Comptroller General of the United  
15 States shall—

16           (1) conduct a review of U.S. Customs and Bor-  
17 der Protection hiring policies and processes to iden-  
18 tify factors contributing to such levels not being  
19 achieved and any other issues related to hiring by  
20 U.S. Customs and Border Protection;

21           (2) consider attrition levels within the Office of  
22 Field Operations to identify associated factors con-  
23 tributing to attrition within the workforce of such  
24 Office; and

1           (3) submit to the Committee on Homeland Se-  
2           curity of the House of Representatives and the Com-  
3           mittee on Homeland Security and Governmental Af-  
4           fairs of the Senate a report that describes the re-  
5           sults of the review and consideration under para-  
6           graphs (1) and (2), respectively, and that contains  
7           recommendations to enhance the likelihood of achiev-  
8           ing such staffing levels.

9   **SEC. 3. PORTS OF ENTRY INFRASTRUCTURE ENHANCE-**  
10                                   **MENT REPORT.**

11           Not later than 90 days after the date of the enact-  
12           ment of this Act, the Commissioner of U.S. Customs and  
13           Border Protection shall submit to the Committee on  
14           Homeland Security of the House of Representatives and  
15           the Committee on Homeland Security and Governmental  
16           Affairs of the Senate a report that identifies—

17           (1) infrastructure improvements at ports of  
18           entry that would enhance the ability of U.S. Cus-  
19           toms and Border Protection officers to detect, inter-  
20           dict, disrupt, and prevent fentanyl, other synthetic  
21           opioids, and other narcotics and psychoactive sub-  
22           stances and associated contraband from entering the  
23           United States, including a description of cir-  
24           cumstances in which effective technology in use at

1 certain ports of entry cannot be implemented at  
2 other ports of entry;

3 (2) detection equipment that would improve the  
4 ability of such officers to identify such drugs and  
5 other dangers that are being illegally transported  
6 into the United States; and

7 (3) safety equipment that would protect such  
8 officers from accidental exposure to such drugs or  
9 other dangers associated with the inspection of po-  
10 tential drug traffickers.

11 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

12 There is authorized to be appropriated to carry out  
13 this Act \$82,775,000 in fiscal year 2018 and \$93,095,000  
14 for each of the fiscal years 2019 through 2024.

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