

H.R. 5273, Securing America's Ports Act

As passed by the House of Representatives on February 10, 2020

By Fiscal Year, Millions of Dollars	2020	2020-2025	2020-2030
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	7	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2031?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

At land ports of entry to the United States, Customs and Border Protection (CBP) uses scanning technology capable of producing an image of the contents of commercial and passenger vehicles as they pass through inspection areas. Those systems, known as large-scale nonintrusive inspection (LS NII) systems, allow for scanning of higher volumes of vehicles and cargo compared to physical inspection. In 2020, the Congress appropriated \$59 million for CBP to procure and deploy such systems.

H.R. 5273 would require CBP to produce a plan to increase the use of LS NII systems to 100 percent at land ports of entry.¹ The plan would include benchmarks for measuring scanning rates and estimates of costs to acquire, operate, and maintain those systems. The act would require CBP to report annually to the Congress on its progress in implementing the plan. H.R. 5273 also would require the Department of Homeland Security to conduct research and development to enhance the effectiveness of LS NII systems.

Using information provided by CBP, CBO estimates that the agency would spend about \$300,000 on staffing and contract costs in 2021 to produce the required plan and an

1. At land ports of entry to the United States, CBP currently scans approximately 1 percent to 2 percent of passenger vehicles and 15 percent to 17 percent of commercial trucks with nonintrusive inspection systems. The bulk of scanning efforts are focused at ports of entry along the southern border where the volume of vehicle traffic is considerably higher than along the northern border.

additional \$100,000 a year after 2021 to analyze system deployment and to report annually to the Congress. For the research program to improve the effectiveness of LS NII systems, CBO expects that CBP would establish an initial pilot program at an estimated cost of \$2.5 million in 2021 and about \$1 million each year after 2021 to continue those efforts. The costs of the legislation fall under budget function 750 (administration of justice).

Although H.R. 5273 would require CBP to produce a plan to scan 100 percent of vehicles crossing U.S. borders, the act would not require the agency to meet that standard. Accordingly, this estimate does not include the costs to procure and deploy the necessary scanning systems.

Using information provided by the agency, CBO expects that under current law scanning rates for vehicles crossing the southern border will reach 100 percent for both passenger and commercial vehicles near the end of the decade if the Congress continues to provide appropriations at the current level. However, CBO expects that appropriations at that annual level would not be sufficient to allow the agency to achieve full scanning at the northern border until sometime after 2030.

On August 18, 2020, CBO transmitted a [cost estimate for H.R. 5273](#), the Securing America's Ports Act, as ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on March 11, 2020. The two versions of the legislation are similar but the Senate version would not require CBP to conduct research and development on LS NII systems. CBO's cost estimates for the two versions reflect that difference—about \$6 million in discretionary costs over the 2021-2025 period.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.