

118TH CONGRESS  
1ST SESSION

# S. 2367

To improve border security through regular assessments and evaluations of the Checkpoint Program Management Office and effective training of U.S. Border Patrol agents regarding drug seizures.

---

## IN THE SENATE OF THE UNITED STATES

JULY 19, 2023

Mr. SCOTT of Florida (for himself and Ms. SINEMA) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

---

## A BILL

To improve border security through regular assessments and evaluations of the Checkpoint Program Management Office and effective training of U.S. Border Patrol agents regarding drug seizures.

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 TITLES.**

4 This Act may be cited as the “Continuing High-qual-  
5 ity Evaluations of Concerning and Known Persons Of In-  
6 terest through National Training updates Act” or the  
7 “CHECKPOINT Act”.

1 **SEC. 2. IMPROVING BORDER SECURITY.**

2 (a) COMMISSIONER OF U.S. CUSTOMS AND BORDER  
3 PROTECTION.—

4 (1) TRIENNIAL ASSESSMENTS AND EVALUA-  
5 TIONS.—Not less frequently than once every 3 years,  
6 the Commissioner of U.S. Customs and Border Pro-  
7 tection shall—

8 (A) in consultation with the Office of Intel-  
9 ligence and Analysis, the U.S. Customs and  
10 Border Protection National Targeting Center,  
11 and other relevant intelligence or law enforce-  
12 ment components of the Department of Home-  
13 land Security, assess the drug type categories  
14 available in the U.S. Customs and Border Pro-  
15 tection data systems to determine if such cat-  
16 egories adequately reflect the drug smuggling  
17 scenarios encountered by U.S. Customs and  
18 Border Protection officers and agents;

19 (B) evaluate the drug seizures portion of  
20 the National Field Training Program to ensure  
21 proper classification and recording of seized  
22 narcotics, such as fentanyl, methamphetamine  
23 and counterfeit prescription drugs; and

24 (C) assess the effectiveness of U.S. Cus-  
25 toms and Border Protection efforts to combat  
26 human smuggling.

1           (2) CHECKPOINT PROGRAM MANAGEMENT OF-  
2       FICE.—The Chief, U.S. Border Patrol shall—

3           (A) update the roles and responsibilities of  
4       the Checkpoint Program Management Office  
5       and disseminate the updated roles and respon-  
6       sibilities to all of the U.S. Border Patrol agents  
7       in each Border Patrol sector; and

8           (B) develop and regularly update the poli-  
9       cies and procedures for immigration checkpoint  
10      oversight activities of the Checkpoint Program  
11      Management Office.

12          (3) U.S. BORDER PATROL IMMIGRATION CHECK-  
13      POINTS.—The Chief, U.S. Border Patrol shall—

14          (A) implement the Border Enforcement  
15      Secondary Tool at immigration checkpoints,  
16      wherever feasible, or implement any subsequent  
17      replacement program; and

18          (B) require that secondary checkpoints use  
19      all approved surveillance technologies, whenever  
20      feasible, such as adopting license plate readers  
21      and installing closed circuit televisions.

22          (b) EXECUTIVE ASSISTANT COMMISSIONER, OFFICE  
23      OF FIELD OPERATIONS.—The Executive Assistant Com-  
24      missioner, Office of Field Operations, shall—

1           (1) finalize and implement a plan to regularly  
2 evaluate the drug seizures portion of the Post-Acad-  
3 emy Program; and

4           (2) regularly update the plan materials.

5           (c) ASSISTANT COMMISSIONER, OFFICE OF INTEL-  
6 LIGENCE.—The Assistant Commissioner, Office of Intel-  
7 ligence, shall—

8           (1) establish the Southern Border Intelligence  
9 Center to develop the understanding of the threat in  
10 the environment along the international border be-  
11 tween the United States and Mexico and report an-  
12 nually to Congress regarding the threat situation  
13 along such border;

14           (2) increase the capabilities of the CBP Intel-  
15 ligence Watch and the CBP Joint Processing and  
16 Operations Center to provide continuous support to  
17 combating transnational criminal organizations and  
18 submit an annual report to Congress on the status  
19 of such efforts;

20           (3) develop an intelligence research specialist  
21 career path, training requirements, and intelligence  
22 enterprise training academy to support border secu-  
23 rity, counter narcotic, and checkpoint operations;  
24 and

1           (4) require that all intelligence research special-  
2           ists are trained to the applicable performance stand-  
3           ards and submit an annual report to Congress re-  
4           garding the status of the intelligence professional  
5           workforce.

6 **SEC. 3. ANNUAL REPORT.**

7           The Chief, U.S. Border Patrol shall submit an annual  
8           report to Congress that describes the actions undertaken  
9           to ensure that—

10           (1) the Checkpoint Program Management Of-  
11           fice, in coordination with U.S. Border Patrol sectors,  
12           is overseeing the consistent and accurate recording  
13           of immigration checkpoint activity data, including  
14           data regarding—

15                   (A) apprehensions at checkpoints, includ-  
16                   ing smuggled people;

17                   (B) canine assists with drug seizures;

18                   (C) seizures of trace amounts of mari-  
19                   juana;

20                   (D) drug seizures, including drug seizures  
21                   involving fentanyl mixed with another drug and  
22                   drug seizures of counterfeit drugs;

23                   (E) non-drug property seizures; and

24                   (F) attempted checkpoint circumventions;

1           (2) U.S. Border Patrol uses its data system to  
2 document information about all people for whom a  
3 checkpoint encounter leads to a subsequent enforce-  
4 ment action; and

5           (3) the Checkpoint Program Management Of-  
6 fice—

7                 (A) receives sustained oversight from the  
8 Office of the Chief, U.S. Border Patrol;

9                 (B) is held accountable for implementing  
10 its checkpoint oversight responsibilities; and

11                 (C) is consistently and adequately staffed.

○