

## SHORT TITLE

Pub. L. 110-161, div. E, title VI, §601, Dec. 26, 2007, 121 Stat. 2094, provided that: “This title [enacting this chapter] may be cited as the ‘Border Infrastructure and Technology Modernization Act of 2007.’”

**§§ 1402, 1403. Repealed. Pub. L. 113-188, title X, § 1001(b), Nov. 26, 2014, 128 Stat. 2022**

Section 1402, Pub. L. 110-161, div. E, title VI, §603, Dec. 26, 2007, 121 Stat. 2094, related to the Port of Entry Infrastructure Assessment Study.

Section 1403, Pub. L. 110-161, div. E, title VI, §604, Dec. 26, 2007, 121 Stat. 2095, related to the National Land Border Security Plan.

**§ 1404. Port of entry technology demonstration program**

**(a) Establishment**

The Secretary, acting through the Commissioner, shall carry out a technology demonstration program to test and evaluate new port of entry technologies, refine port of entry technologies and operational concepts, and train personnel under realistic conditions.

**(b) Technology tested**

Under the demonstration program, the Commissioner shall test technologies that enhance port of entry operations, including those related to inspections, communications, port tracking, identification of persons and cargo, sensory devices, personal detection, decision support, and the detection and identification of weapons of mass destruction.

**(c) Demonstration sites**

**(1) Number**

The Commissioner shall carry out the demonstration program at not less than three sites and not more than five sites.

**(2) Location**

Of the sites selected under subsection (c)—<sup>1</sup>

(A) at least one shall be located on the northern border of the United States; and

(B) at least one shall be located on the southern border of the United States.

**(3) Selection criteria**

To ensure that one of the facilities selected as a port of entry demonstration site for the demonstration program has the most up-to-date design, contains sufficient space to conduct the demonstration program, has a traffic volume low enough to easily incorporate new technologies without interrupting normal processing activity, and can efficiently carry out demonstration and port of entry operations, one port of entry selected as a demonstration site may—

(A) have been established not more than 15 years before December 26, 2007;

(B) consist of not less than 65 acres, with the possibility of expansion onto not less than 25 adjacent acres; and

(C) have serviced an average of not more than 50,000 vehicles per month during the 12 months preceding December 26, 2007.

**(d) Relationship with other agencies**

The Secretary, acting through the Commissioner, shall permit personnel from appropriate Federal agencies to utilize a demonstration site described in subsection (c) to test technologies that enhance port of entry operations, including those related to inspections, communications, port tracking, identification of persons and cargo, sensory devices, personal detection, decision support, and the detection and identification of weapons of mass destruction.

**(e) Report**

**(1) Requirement**

Not later than 1 year after December 26, 2007, and annually thereafter, the Secretary shall submit to the Committees on Appropriations of the Senate and the House of Representatives, the Senate Committee on Environment and Public Works, the Senate Committee on Homeland Security and Governmental Affairs, the House Committee on Transportation and Infrastructure, and the House Committee on Homeland Security a report on the activities carried out at each demonstration site under the technology demonstration program established under this section.

**(2) Content**

The report shall include an assessment by the Commissioner of the feasibility of incorporating any demonstrated technology for use throughout U.S. Customs and Border Protection.

(Pub. L. 110-161, div. E, title VI, §605, Dec. 26, 2007, 121 Stat. 2096.)

**§ 1405. Authorization of appropriations**

**(a) In general**

In addition to any funds otherwise available, there are authorized to be appropriated such sums as may be necessary to carry out this chapter for fiscal years 2009 through 2013.

**(b) International agreements**

Funds authorized to be appropriated under this chapter may be used for the implementation of projects described in the Declaration on Embracing Technology and Cooperation to Promote the Secure and Efficient Flow of People and Commerce across our Shared Border between the United States and Mexico, agreed to March 22, 2002, Monterrey, Mexico (commonly known as the Border Partnership Action Plan) or the Smart Border Declaration between the United States and Canada, agreed to December 12, 2001, Ottawa, Canada that are consistent with the provisions of this chapter.

(Pub. L. 110-161, div. E, title VI, §606, Dec. 26, 2007, 121 Stat. 2097.)

<sup>1</sup> So in original. Probably should be “paragraph (1)—”.