

119TH CONGRESS
1ST SESSION

S. 578

To pilot the use of image technician positions in the U.S. Customs and
Border Protection Office of Field Operations.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 13, 2025

Mr. LANKFORD (for himself, Mr. KELLY, and Mr. CORNYN) introduced the
following bill; which was read twice and referred to the Committee on
Homeland Security and Governmental Affairs

A BILL

To pilot the use of image technician positions in the U.S.
Customs and Border Protection Office of Field Operations.

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 “Border Enforcement,
5 Security, and Trade Facilitation Act of 2025” or the
6 “BEST Facilitation Act”.

1 **SEC. 2. OFFICE OF FIELD OPERATIONS IMAGE TECHNICIAN**
2 **PILOT PROGRAM.**

3 (a) IN GENERAL.—Section 411(g) of the Homeland
4 Security Act of 2002 (6 U.S.C. 211(g)) is amended by
5 adding at the end the following:

6 “(6) IMAGE TECHNICIAN PILOT PROGRAM.—

7 “(A) IMAGE TECHNICIAN 1.—

8 “(i) IN GENERAL.—There shall be in
9 the Office of Field Operations, Image
10 Technician 1 positions, which shall be
11 filled in accordance with the provisions
12 under chapter 33 (relating to appointments
13 in the competitive service) and chapters 51
14 and 53 (relating to classification and rates
15 of pay) of title 5, United States Code.

16 “(ii) CONDITIONS.—Image Technician
17 1 positions—

18 “(I) may be filled by existing
19 U.S. Customs and Border Protection
20 employees;

21 “(II) are not law enforcement of-
22 ficer positions;

23 “(III) may not be filled by inde-
24 pendent contractors; and

1 “(IV) shall be assigned to a re-
2 gional command center established
3 under subparagraph (F).

4 “(iii) DUTIES.—The duties of an
5 Image Technician 1 shall include—

6 “(I) reviewing non-intrusive in-
7 spection images of conveyances and
8 containers entering or exiting the
9 United States through a land, sea, or
10 air port of entry or international rail
11 crossing;

12 “(II) assessing whether images of
13 conveyances and containers appear to
14 contain anomalies indicating the po-
15 tential presence of contraband, per-
16 sons unlawfully seeking to enter or
17 exit the United States, or illicitly con-
18 cealed merchandise, including illicit
19 drugs and terrorist weapons;

20 “(III) recommending entry re-
21 lease or exit release for any convey-
22 ances and containers whenever the im-
23 ages of such items do not include no-
24 ticeable anomalies indicating the po-
25 tential presence of contraband, per-

1 sons seeking to unlawfully enter or
2 exit the United States, or illicitly con-
3 cealed merchandise, including illicit
4 drugs or terrorist weapons, to the
5 U.S. Customs and Border Protection
6 Officer responsible for inspecting such
7 conveyance or container; and

8 “(IV) recommending further in-
9 spection of any conveyances and con-
10 tainers whenever the Image Techni-
11 cian reasonably believes that an image
12 of any such item contains anomalies
13 indicating the potential presence of
14 contraband, persons seeking to unlaw-
15 fully enter or exit the United States,
16 or illicitly concealed merchandise,
17 such as illicit drugs or terrorist weap-
18 ons, to the U.S. Customs and Border
19 Protection officer who is responsible
20 for inspecting such conveyance or con-
21 tainer.

22 “(B) IMAGE TECHNICIAN 2.—

23 “(i) IN GENERAL.—There shall be in
24 the Office of Field Operations, Image
25 Technician 2 positions, which shall be

1 filled in accordance with the provisions
2 under chapter 33 (relating to appointments
3 in the competitive service) and chapters 51
4 and 53 (relating to classification and rates
5 of pay) of title 5, United States Code.

6 “(ii) CONDITIONS.—Image Technician
7 2 positions—

8 “(I) may be filled by existing
9 U.S. Customs and Border Protection
10 employees;

11 “(II) are not law enforcement of-
12 ficer positions;

13 “(III) may not be filled by inde-
14 pendent contractors; and

15 “(IV) shall be assigned to a re-
16 gional command center established
17 under subparagraph (F).

18 “(iii) DUTIES.—The duties of an
19 Image Technician 2 shall include—

20 “(I) carrying out all of the duties
21 described in subclauses (I) through
22 (IV) of subparagraph (A)(ii);

23 “(II) receiving intelligence from
24 the National Targeting Center regard-
25 ing tactics, techniques, and proce-

dures being used at ports of entry and
 in the border environment by malign
 actors to facilitate the unlawful entry
 or exit of contraband, persons, or illic-
 itly concealed merchandise, such as il-
 licit drugs or terrorist weapons; and

“(III) reporting new information
 to the National Targeting Center re-
 garding tactics, techniques, and proce-
 dures being used at ports of entry and
 in the border environment by malign
 actors to facilitate the unlawful entry
 or exit of contraband, persons, or con-
 cealed merchandise, such as illicit
 drugs or terrorist weapons.

“(C) SUPERVISORY U.S. CUSTOMS AND
 BORDER PROTECTION OFFICERS.—

“(i) SUPERVISION.—All image techni-
 cians shall be supervised by a Supervisory
 U.S. Customs and Border Protection Offi-
 cer.

“(ii) DISCRETION AND DECISION-MAK-
 ING AUTHORITY.—The appropriate Super-
 visory U.S. Customs and Border Protec-
 tion Officer, while working with image

1 technicians, shall retain the discretion and
2 final decision-making authority—

3 “(I) to release conveyances or
4 cargo for entry; or

5 “(II) to refer such conveyance or
6 cargo for further inspection.

7 “(iii) TRAINING.—A Supervisory U.S.
8 Customs and Border Protection Officer
9 who supervises image technicians shall re-
10 ceive additional training in accordance with
11 subparagraph (D).

12 “(D) TRAINING REQUIREMENTS.—All
13 image technicians shall receive annual training
14 and additional ad hoc training, to the extent
15 necessary based on current trends, regarding—

16 “(i) respecting privacy, civil rights,
17 and civil liberties, including the protections
18 against unreasonable searches and seizures
19 afforded by the First and Fourth Amend-
20 ments to the Constitution of the United
21 States, as applicable and as interpreted by
22 the Federal courts;

23 “(ii) analyzing images generated by
24 non-intrusive inspection technologies or

1 any successor technologies deployed by
2 U.S. Customs and Border Protection;

3 “(iii) identifying commodities and
4 merchandise in images generated by non-
5 intrusive inspection technologies or any
6 successor technologies deployed by U.S.
7 Customs and Border Protection;

8 “(iv) identifying contraband, persons
9 who are seeking to unlawfully enter or exit
10 the United States, or illicitly concealed
11 merchandise, such as illicit drugs or ter-
12 rorist weapons, in images generated by
13 non-intrusive technologies or any successor
14 technologies deployed by U.S. Customs and
15 Border Protection;

16 “(v) tactics, techniques, and proce-
17 dures being used at ports of entry and in
18 the border environment by malign actors to
19 facilitate the unlawful entry or exit of con-
20 traband, persons, or illicitly concealed mer-
21 chandise, such as illicit drugs or terrorist
22 weapons; and

23 “(vi) any other training that the Com-
24 missioner of U.S. Customs and Border
25 Protection determines to be relevant to the

duties described in subparagraphs (A)(iii)
or (B)(iii).

“(E) ANNUAL ASSESSMENT.—All image
technicians shall receive annual testing with re-
spect to their—

“(i) accuracy in image analysis;

“(ii) timeliness in image analysis; and

“(iii) ability to ascertain tactics, tech-
niques, and procedures being used at ports
of entry and in the border environment by
malign actors to facilitate the unlawful
entry or exit of contraband, persons, or il-
licitly concealed merchandise, such as illicit
drugs or terrorist weapons.

“(F) COMMAND CENTERS.—As part of the
pilot program established under this paragraph,
the Executive Assistant Commissioner of the
Office of Field Operations shall establish 5 re-
gional command centers at land, rail, air, and
sea ports in which image technicians shall re-
view non-intrusive inspection images.

“(G) RULE OF CONSTRUCTION.—Nothing
in this paragraph may be construed to affect
the discretion and final decision-making author-
ity given to U.S. Customs and Border Protec-

1 tion Officers to release conveyances or cargo for
2 entry or exit or to refer such conveyances or
3 cargo for further inspection.”.

4 (b) EFFECTIVE DATE.—

5 (1) SUNSET.—The amendment made by sub-
6 section (a) shall cease to have effect on the date that
7 is 5 years after the date of the enactment of this
8 Act.

9 (2) TRANSFERS AUTHORIZED.—Upon the ter-
10 mination of the pilot program established by section
11 411(g)(6) of the Homeland Security Act of 2002, as
12 added by subsection (a), individuals occupying
13 Image Technician 1 or Image Technician 2 positions
14 in the Office of Field Operations may transfer to
15 comparable positions within U.S. Customs and Bor-
16 der Protection or the Department of Homeland Se-
17 curity.

18 **SEC. 3. REPORTING REQUIREMENTS.**

19 (a) SEMIANNUAL REPORTS.—Not later than 180
20 days after the hiring of the first positions described in sec-
21 tion 411(g)(6) of the Homeland Security Act of 2002, as
22 added by section 2, and every 180 days thereafter, the
23 Commissioner of U.S. Customs and Border Protection, in
24 consultation with the Executive Assistant Commissioner
25 of the Office of Field Operations, shall submit a report

1 to the Committee on Homeland Security and Govern-
2 mental Affairs of the Senate and the Committee on Home-
3 land Security of the House of Representatives that identi-
4 fies—

5 (1) the number of Image Technician 1 and
6 Image Technician 2 positions filled during the re-
7 porting period;

8 (2) the number of Image Technician 1 and
9 Image Technician 2 positions currently employed by
10 the Office of Field Operations, disaggregated by—

11 (A) port of entry or field office;

12 (B) image technician position; and

13 (C) command center, as applicable;

14 (3) the daily average number of images scanned
15 by each Image Technician 1 and each Image Techni-
16 cian 2;

17 (4) training methodologies utilized to train
18 image technicians;

19 (5) assessment passage rates of image techni-
20 cians;

21 (6) the impact of image technicians on interdic-
22 tion rates at ports of entry and international rail
23 crossings at which image technicians are stationed
24 or from which image technicians review images, in-
25 cluding—

1 (A) throughput increases or decreases at
2 such ports of entry and international rail cross-
3 ings;

4 (B) increases or decreases in waiting times
5 at such ports of entry and international rail
6 crossings;

7 (C) average wait times at such ports of
8 entry and international rail crossings; and

9 (D) increases or decreases of seizures of
10 contraband, persons seeking to unlawfully enter
11 or exit the United States, or illicitly concealed
12 merchandise, such as illicit drugs or terrorist
13 weapons, broken down by type of seizure and
14 port of entry or international rail crossing;

15 (7) the impact of image technicians on U.S.
16 Customs and Border Protection's capability to re-
17 view non-intrusive inspection images of conveyances
18 and containers entering or exiting the United States
19 through a land, sea, or air port of entry or inter-
20 national rail crossing;

21 (8) an assessment of the effectiveness with
22 which image technicians carry out the duties de-
23 scribed in subparagraphs (A)(iii) and (B)(iii) of sec-
24 tion 411(g)(6) of the Homeland Security Act of
25 2002, as added by section 2(a), compared to any

1 U.S. Customs and Border Protection officers who
2 are assigned such duties;

3 (9) the progress made in establishing command
4 centers under the pilot program established by such
5 section;

6 (10) any infrastructure or resource needs re-
7 quired to establish such command centers; and

8 (11) the ports of entry and international rail
9 crossing, as applicable, that are supported by such
10 a command center.

11 (b) BIENNIAL BRIEFINGS.—The Executive Assistant
12 Commissioner of the Office of Field Operations shall pro-
13 vide biennial briefings to the Committee on Homeland Se-
14 curity and Governmental Affairs of the Senate and the
15 Committee on Homeland Security of the House of Rep-
16 resentatives regarding the information described in the
17 latest report submitted pursuant to subsection (a).

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