

United States Senate

WASHINGTON, DC 20510

June 23, 2026

The Honorable Rodney R. Scott
Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Ave NW
Washington, DC 20004

Dear Commissioner Scott:

I am writing regarding threats at our Southern border and the failure of U.S. Customs and Border Protection (CBP) to modernize vehicle scanning through the use of highly effective non-intrusive inspection (NII) technology, which helps prevent illegal trafficking of fentanyl and other contraband. In 2021, the bipartisan *Securing America's Ports Act* required CBP to produce plans within six months – and regularly update Congress on its progress – to ensure that 100 percent of vehicles entering the United States would be screened through NII by 2027.¹ However, the Government Accountability Office (GAO) has found that CBP is far from reaching this goal.² As of February 2025, GAO found that CBP was scanning less than 10 percent of passenger vehicles entering the U.S. at the Southern border and did not even have plans to deploy additional NII equipment at the two largest ports of entry, both of which are located in San Diego and are known to be used by cartels to smuggle drugs and other contraband.³ This is especially concerning, as I recently met with Drug Enforcement Administration (DEA) officials in San Diego who highlighted the fact that the trafficking of illicit drugs into the United States continues to be an issue of serious concern.

Congress passed the *Securing America's Ports Act* because NII is essential to combat fentanyl trafficking. Drug smuggling through ports of entry at the Southern border remains the primary mode by which fentanyl enters the United States.⁴ In fiscal years 2021 through 2024, about 80 percent of DHS fentanyl seizures occurred in the Southwest border region.⁵ In fiscal year 2025, 75 percent of the drugs that CBP seized in the Southwest border region were seized at ports of entry.⁶ Available data, while limited, suggests that NII helped enable most of these

¹ *Securing America's Ports Act*, Pub. L. No. 116-299 (2021).

² Government Accountability Office, *Land Port Inspections; CBP Should Improve Performance Data and Deployment Plans for Scanning Systems* (GAO-25-107379) (Sept. 2025).

³ *Id.*

⁴ *See*: Department of Homeland Security, Customs and Border Protection, *Frontline Against Fentanyl* (www.cbp.gov/border-security/international-initiatives/frontline-against-fentanyl) (last modified: May 6, 2026).

⁵ Government Accountability Office, *Illicit Fentanyl; DHS Has Various Efforts to Combat Trafficking but Could Better Assess Effectiveness* (GAO-25-107667) (Sept. 2025).

⁶ House Committee on Homeland Security, Subcommittee on Border Security and Enforcement, Testimony Submitted for the Record of Diane J. Sabatino, Deputy Executive

seizures.⁷ Unlike manual inspection, NII enables CBP to detect fentanyl and other contraband hidden inside cars, trucks, trailers, and cargo containers, while also allowing lawful travel and trade to continue with minimal disruption.⁸

Despite the potential effectiveness of NII in the fight against fentanyl trafficking and the Congressional mandate for its deployment, CBP has been slow to deploy NII technology and currently has no plans for additional equipment at several critical ports of entry. According to GAO, as of February 2025, only 52 of 153 planned large-scale NII systems were fully operational, with the remaining systems still in pre-planning, design, or construction.⁹ Even where systems have been installed, GAO found that limited staffing and system outages have constrained their use. In fiscal year 2024, only around half of individual large-scale NII systems met CBP's operational-availability targets, which includes systems that are functioning, staffed, and ready-for-use.¹⁰ Perhaps most concerning, GAO found that CBP does not currently have plans for large-scale NII deployment at major ports of entry that present significant drug trafficking risk.¹¹ In fact, ports of entry without NII deployment plans account for 38 percent of passenger vehicle traffic along the Southwest border – creating a glaring gap that drug traffickers continue to exploit.¹² Recent developments, including CBP's deployment of some NII technology that was previously in storage and a CBP request for information to industry about using AI for NII, are positive but not sufficient given the urgency of the threat.¹³

Historically, barriers to NII deployment have included project mismanagement, competing agency priorities, inadequate funding, and technological challenges.¹⁴ The Trump Administration's stated focus on fighting cartels, federal adoption of new AI technology, and recent increases in CBP funding should all serve to reduce these barriers. I sent questions for the

Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, *Hearing on Smarter Borders, Safer Nation: Expanding the Use of Non-Intrusive Inspection Technology*, 119th Cong. (Jan. 22, 2026) (H. Hrg. 119-XX).

⁷ *Supra* note 2, at 38.

⁸ Senate Committee on Homeland Security and Governmental Affairs, *Report of the Senate Committee on Homeland Security and Governmental Affairs to Accompany H.R. 5273* (Sept. 9, 2020) (S. Rept. 116-267).

⁹ *Supra* note 2, at 27.

¹⁰ *Id.*, at 21.

¹¹ *Id.*, at 24.

¹² *Id.*, at 36; Department of Justice, Drug Enforcement Administration, *2025 National Drug Threat Assessment* (DEA-DCT-DIR-007-25) (May 2025).

¹³ Department of Homeland Security, Customs and Border Protection, Office of Field Operations, Non-Intrusive Inspection Program, *Request for Information (RFI) - Artificial Intelligence for Image Adjudication* (RFQ2026) (Apr. 29, 2026).

¹⁴ *Supra* note, 2.

record on NII following your February testimony before the Senate Homeland Security and Governmental Affairs Committee, but have not yet received a response.¹⁵ During the confirmation process for Secretary Mullin, I appreciated his commitment to work with my office and to provide updates on NII planning. In view of that commitment, I am reiterating my questions for the record to CBP below and request a response no later than July 7, 2026.

1. Does CBP currently have a NII deployment plan for San Ysidro Land Port of Entry (LPOE)? If so, please provide this plan. If not, when does CBP expect to have an NII deployment plan for San Ysidro LPOE?
2. Does CBP currently have a NII deployment plan for Otay Mesa LPOE? If so, please provide this plan. If not, when does CBP expect to have an NII deployment plan for Otay Mesa LPOE?
3. Does CBP currently have a NII deployment plan for DeConcini LPOE? If so, please provide this plan. If not, when does CBP expect to have an NII deployment plan for DeConcini LPOE?
4. When does CBP expect to achieve 100 percent scanning of commercial and passenger vehicles and rail containers at LPOEs?
5. What percentage of commercial and passenger vehicles and rail containers transiting through LPOEs are being scanned with NII equipment? Has this percentage increased or decreased since January 20, 2025?
6. What percentage of NII equipment currently possessed by CBP is not being actively utilized?
7. For each of the last five years, what proportion of drug seizures at LPOE involved the use of NII? Please provide estimates by sector and LPOE.
8. How many CBP personnel are currently assigned to NII? How many CBP personnel were assigned to NII as of January 21, 2025?
9. How many personnel does CBP need to achieve 100 percent NII based on current technology and staffing requirements? Please provide estimates broken down by LPOE.
10. How will the reassignment of certain missions from the office of Countering Weapons of Mass Destruction impact CBP's ability to reach 100 percent NII?

¹⁵ The Honorable Markwayne Mullin, Post-Hearing Questions for the Record Submitted from Senator Maggie Hassan, *Hearing on the Nomination of the Honorable Markwayne Mullin to be Secretary, U.S. Department of Homeland Security*, 119th Cong. (Mar. 18, 2026) (S. Hrg. 119-XX).

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Thank you for your prompt attention to these matters. If you have any questions related to this request, please contact [REDACTED]. Please send any official correspondence relating to this request to [REDACTED].

Sincerely,



Margaret Wood Hassan
United States Senator

Cc: Rand Paul
Chairman
Senate Homeland Security and Governmental Affairs Committee

Gary Peters
Ranking Member
Senate Homeland Security and Governmental Affairs Committee