

TESTIMONY OF

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DEPARTMENT OF HOMELAND SECURITY

BEFORE

HOUSE APPROPRIATIONS COMMITTEE

SUBCOMMITTEE ON HOMELAND SECURITY

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Chairman Price, Representative Rogers, esteemed members of the Subcommittee, it is a privilege and an honor to appear before you today to discuss the work U.S. Customs and Border Protection (CBP) does in performing our twin goals of border security and facilitation of legitimate trade and travel. Our work is of critical importance—we must be constantly vigilant towards the security of our borders and the enforcement of trade laws, yet we must accomplish these tasks without stifling the flow of legitimate trade and travel that is so critical to our nation’s economy. With over 54,000 employees, CBP is the largest uniformed, federal law enforcement agency in the country.

I want to begin by expressing my ongoing gratitude to the Subcommittee for its continued support of the mission and people of CBP. It is clear that the Subcommittee is committed to providing CBP with the resources we need in order to increase and maintain the security of our borders. We appreciate your efforts and assistance. Today, I will outline the way in which these investments have already paid off and I will discuss the challenges that we face to meet our shared objectives in the future.

Taking Stock of Investments—How Far We’ve Come

Investments in Personnel

The primary mission of CBP is to protect the American public and foster economic security through international trade and travel, and our personnel are our greatest asset. Since September 11, 2001 and the creation of CBP, our workforce has faced increasingly complex challenges and has been at the forefront of our nation’s effort to confront them. The attempted attack on Northwest Flight 253 on December 25th was a powerful reminder that terrorists will go to great lengths to defeat the security measures that have been put in place since 9/11.

To adapt to an ever-changing threat environment, CBP has hired highly trained agents, officers, and analysts who use sophisticated targeting, detection, and other forms of technology to detect, disrupt, and apprehend those who seek to do our country harm, enter it illegally or smuggle weapons, people or illicit goods. Our personnel have continued to create and strengthen partnerships that will increase cooperation, capabilities, and information sharing among federal, state, tribal and local partners. It is also critical that our strategy include a robust relationship

with our international partners, and we are making great strides in our engagement with Canada and Mexico.

The jobs of our frontline personnel have become more complex since 9/11, and we have committed to increase the journeyman levels for our workforce to reflect those responsibilities. Specifically, CBP is upgrading the full performance levels for frontline CBP officers, Border Patrol agents and agricultural specialists from the GS-11 to the GS-12 level. The Fiscal Year 2011 Budget fully funds the first full-year cost of the salary and benefit requirements associated with this implementation, which is approximately \$310 million. We look forward to working with the Committee to implement this important initiative.

Investments in Infrastructure and Technology

The deployment of infrastructure and technology are vital to CBP's success and operations. In FY 2011, CBP will continue to procure surveillance technology such as fixed and mobile cameras and radar systems that provide immediate capabilities to the field, and will continue to pilot new technologies for enhanced situational awareness. Currently, CBP is deploying proven surveillance systems to the Detroit and Buffalo Sectors, as well as the southwest border, and additional funds will be used to demonstrate and deploy additional capabilities against priority threats.

In addition to technology investments, the FY 2011 Budget requests approximately \$25 million for tactical infrastructure construction and improvements – most of which will be used for maintenance and repair of existing tactical infrastructure.

Thanks to the continued support of this committee, CBP now has 240 large-scale Non-Intrusive Inspection (NII) systems deployed to our ports of entry. Of the 240 NII systems deployed, 49 are deployed on the northern border, 98 are deployed on the southern border, and 93 are deployed to seaports. To date, CBP has used the deployed systems to conduct over 32 million examinations resulting in over 7,600 narcotic seizures with a total weight of 2.4 million pounds of narcotics, and the seizure of over \$19.2 million in undeclared currency. Used in combination with our layered enforcement strategy, these tools provide CBP with a significant capability to detect contraband, including illicit nuclear or radiological materials. The deployment of NII

technologies has enabled our staff to efficiently process a significant volume of passengers and trade.

In addition to the NII systems currently in its inventory, CBP will continue to deploy additional systems to our ports of entry. The NII strategy is constantly updated as it continues to evolve and as additional ports of entry come on line or existing ports are upgraded. CBP will continue to make appropriate adjustments to enhance the overall efficiency and effectiveness of the program and will pursue a mix of technologies designed to complement one another and present a layered defense to detect smuggling attempts.

Investments in Facilitating Travel

The Western Hemisphere Travel Initiative (WHTI) implemented a key 9/11 Commission recommendation and the secure document mandate of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA). WHTI was successfully implemented for land and sea travel on June 1, 2009. Over \$350 million for personnel, equipment and technology was deployed on time and on budget to carry out this initiative. Under the WHTI program, CBP deployed new radio frequency identification (RFID) technology and next generation license plate readers at land ports of entry, which have greatly improved CBP's ability to facilitate legitimate travel and trade and improve the security of our borders. This new software has enhanced targeting and intelligence gathering by linking persons to vehicles in a single inspection "package" and allowing documents to be verified back to their issuing source in real-time. WHTI will remain at a steady state of investment for FY 2011 and, building on the success of WHTI in previous fiscal years, CBP will continue to pursue opportunities to more seamlessly integrate land border management and capital investments.

The Global Entry trusted traveler pilot program, which began at three airports in 2008, streamlines the screening process for pre-approved, low-risk air travelers through biometric identification – allowing CBP to improve customer service at airports and concentrate our resources on higher-risk travelers. The program currently operates at 20 airports with over 40,000 members enrolled. This program allows members to use automated kiosks at designated airports to more quickly enter the United States. At the kiosk, Global Entry members insert their

passport or lawful permanent resident card into a document reader, provide digital fingerprints for comparison with fingerprints on file, answer customs declaration questions on the kiosk's touch-screen, and then present a transaction receipt to CBP officers before leaving the inspection area. Global Entry has been well received by industry and stakeholders representing frequent travelers. It also provides the foundation for international trusted traveler partnerships, such as a special reciprocal arrangement that links Global Entry with the Privium program in Amsterdam.. Global Entry has significantly reduced participant wait times—nearly 80 percent of Global Entry passengers are admitted into the United States in less than five minutes. As a result of the successful outcome of the pilot program, CBP is currently engaged in the rulemaking process to make Global Entry a permanent trusted traveler program.

Investments in Cooperation and Southwest Border Security

As part of the Southwest Border Initiative announced by Secretary Napolitano in March 2009, CBP launched new initiatives and strengthened existing ones to improve border security and facilitate travel and trade. This initiative called for additional personnel, increased intelligence capability, and better coordination with state, local and Mexican law enforcement authorities.

As a result of increased southwest border outbound security operations implemented as part of this initiative, as of December 2009, CBP had seized more than \$38.3 million in southbound currency—an increase of more than \$29.3 million over the same time period in 2008. In order to address the escalating violence in Mexico and to increase outbound operations throughout the United States, CBP created the Outbound Programs Division within the Office of Field Operations in March 2009. The Outbound Program creates plans to stem the illegal flow of firearms and currency out of the United States; increase the interdictions of stolen vehicles and fugitives who are attempting to flee the country; and augment compliance with export laws.

In order to maximize the impact of our resources, CBP employs a “pulse and surge” strategy for outbound operations on the southwest border, in which outbound teams are deployed randomly and based on intelligence. CBP currently has Border Patrol agents assigned to all nine southwest border sectors to assist with these inspections. In FY 2011, CBP will continue to strengthen these

operations, and to build on cooperative efforts with federal, state, local, and tribal law enforcement agencies.

Investments in Trade Enforcement and Facilitation

International trade is essential to the U.S. economy. As CBP's investments in security are maturing, we are also committed to facilitating the legitimate trade that crosses our borders by maximizing predictability and transparency, and minimizing cost to the importing community. All this must be done while ensuring that we enforce trade laws, especially those that protect the safety of the American public and intellectual property rights. In order to accomplish these goals, we are leveraging our current resources, building new capabilities and collaborating with partners inside and outside of government.

Our multi-layered approach in the trade arena is similar to our technique for addressing security concerns. This approach includes a mix of available advance information and intelligence, risk assessment and modeling, targeting, and leveraging partnerships. We have used this approach successfully in our work to address import safety concerns. CBP was designated the DHS lead for import safety. Following up on the work initiated by the Interagency Working Group on Import Safety, we are working collaboratively with other government agencies, foreign governments and the trade community to better assess risk through increased automation and information sharing. We are also identifying and expanding the best practices to protect the U.S. consumer.

CBP has also worked with the Food and Drug Administration (FDA), the U.S. Department of Agriculture (USDA) and the Consumer Product Safety Commission (CPSC) to co-locate officials at our newly established National Targeting Analysis Group (NTAG) dedicated to product safety concerns. We have increased communication between CBP and FDA to coordinate joint operations, share laboratory methodologies and procedures, and coordinate regulatory and operational initiatives. Our collaborative effort with the CPSC has resulted in the development of a voluntary product safety partnership program, the Importer Self Assessment – Product Safety (ISA-PS) pilot, which allows us to facilitate legitimate consumer products and focus our efforts on harmful goods.

Similar risk management and collaboration efforts are underway to protect intellectual property rights (IPR). In FY 2009, CBP seized almost 15,000 cargo shipments, but more work remains to be done. CBP has developed a multi-layered 5-year strategy to partner with the trade community and obtain advance information; improve IPR targeting models; expand training for enforcement personnel; increase IPR audits; and levy fines and penalties to deter future violations. We will continue to work closely with other federal agencies to identify and address threats to intellectual property.

With your support, we are building on the innovations and investments made in the import safety and IPR areas. Opportunities exist for us to strengthen our capacity to facilitate trade while managing risk, and I look forward to working with you to do so.

Conclusion

Mr. Chairman and Members of the Subcommittee, your continued support of CBP has led to many positive outcomes in border security and improvements in trade facilitation. We are continuing to make real strides in the balance between effective and secure border management, and streamlined and efficient trade policy. We look forward to your continued support and cooperation. Thank you and I look forward to your questions.