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The Testimony of
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Security

Chairman McCain, Senator Hollings, Members of the Committee: Thank you for the opportunity to testify today to discuss what U.S. Customs and Border Protection has been doing since September 11, 2001 to protect the American people, and to better secure the borders of our Nation and its ports of entry, through which all people, vehicles and goods must enter. This includes the systems by which people and goods move into and out of our country.

First, I want to say how delighted I am to be here with Admiral Loy and Admiral Collins. CBP has coordinated on many issues with the Coast Guard and with TSA, as this coordination has been facilitated by the fact that all three agencies are now within the Department of Homeland Security. Indeed, TSA and CBP are agencies within the Border and Transportation Security (BTS) Directorate of the Department, which, under the leadership of Under Secretary Asa Hutchinson, has assisted greatly in our coordination efforts.

It is an understatement to say that, in the days before the terrorist attacks, our border systems were designed, not for security, but for the rapid movement of people and commerce. It has been our challenge since September 11 to "retrofit" this global system of commerce to protect the American people from terrorism ? and do it in a way that does not impede, and indeed, where possible, facilitates, the efficient flow of legitimate people and goods so vital to our economy, and the economy of the world. CBP Transition Before I go further, however, I want to spend a few moments talking about U.S. Customs and Border Protection ? or "CBP." As I am sure all of you know, CBP was formed on March 1, 2003 through the merger of most of the U.S. Customs Service with the immigration inspectors and U.S. Border Patrol of the former INS and the agricultural border inspectors of the USDA. Although under the Homeland Security Act and the Department's Reorganization Plan, CBP is the successor agency to U.S. Customs, CBP is very much a new agency within the Department of Homeland Security. Now, for the first time in our Nation's history, there is a single U.S. border agency, CBP ? responsible for managing and securing the entire U.S. border, that is, all of the 300 plus ports of entry, and between the ports of entry. And, through the unifying of customs, immigration, and agriculture functions at the border, under one unified chain of command, we are more effective than we were before March 1, when we were fragmented into 3 agencies in 3 different departments of government.

This was most vividly demonstrated last week, when Secretary Ridge, Under Secretary Hutchinson, and I were at Dulles Airport, introducing the new "CBP Officer" ? with a new CBP Officer's uniform and DHS/CBP patch ? to the American people. Starting this October, we will no longer be training legacy "immigration" or "customs" inspectors. We will be training a new cadre of "CBP Officers," who will be equipped and trained to handle all CBP primary and secondary inspections, for all purposes in the passenger environment. These CBP Officers will also perform all primary inspection functions in the cargo

environment, although we will also be deploying CBP Agriculture Specialists to perform more specialized agricultural secondary inspection functions.

And current legacy immigration and customs inspectors have already begun cross-training. So, we're not waiting for the new "CBP Officers" to graduate from FLETC to begin creating "one face at the border." We have already begun to roll out unified CBP primary inspections at our international airports, and we are merging our specialized immigration and customs anti-terrorism secondary and passenger analytical targeting units.

In short, we are moving out quickly to achieve the President's and the Secretary's goal of "One Face at the Border," that is one unified, flexible, and effective agency to manage and control our Nation's borders.

This merger has allowed us to think comprehensively about how we better secure, manage and facilitate the movement of people and commerce into and out of our country. No longer is our government fragmented ? with one agency thinking about the movement of people, another thinking about cargo, and still another thinking about agriculture protection. It's one agency focusing on the whole picture at our borders.

"Beyond the Border" Initiatives And in our view, that picture does not begin at our land border or the U.S. water's edge. We view our border as the last line of defense for the American people, not the first line. Our effort to secure the flow of people and cargo is many layered, and starts in many places ? in Central Asia, where CBP personnel are working with foreign partners to interdict WMD material at its source. At the factory floors and in the secure supply chains of our partners in the Customs-Trade

Partnership Against Terrorism, or C-TPAT. At the docks of our Container Security Initiative, or CSI, ports around the world, where CBP officers are working with our foreign counterparts to target and inspect high-risk containers before they are shipped to the United States. In Canada and Mexico, with the people and companies we vet through the FAST, NEXUS, and SENTRI programs. To ensure that our foreign counterparts have the right skills and capabilities to cooperate successfully, we also provide training and technical assistance when needed. And we also apply the "beyond the border" concept to targeting and interdicting high-risk people before they head to the United States. In fact, just a couple of weeks ago, CBP targeted two passengers traveling from Paris to Chicago who used a route typical of an individual trying to enter the U.S. with fraudulent documents. Because we were able to target these people before they got on the plane in Paris, we were able to enlist the air carrier to deny boarding to these individuals ? who were a threat as the documents they were using were fraudulent .

These "beyond the border" efforts are key pieces of CBP's layered strategy for protecting the American people from terrorism, while facilitating the efficient flow of legitimate people and goods into our country. These programs are being implemented and have been effective. In the short life of CSI, we have already worked with our foreign partners to intercept and seize shipments that posed a potential threat to the American people ? including machine guns, gas masks, and other military equipment that would clearly be on Al Qaeda's shopping list. And CSI is now operational in 16 seaports around the world ? in Europe, Asia and Canada.

Once all the ports in Phases 1 and 2 of CSI become operational, approximately 80% of the 7 million maritime containers heading for the United States annually will be under the CSI blanket. That said, we still have much work to do to get CSI fully operational.

It is also important to view CSI in the context of CBP's layered-defense strategy. Just as important is our

effort to secure the supply chain through C-TPAT. Currently, over 4,000 companies are enrolled in C-TPAT – not only U.S. importers, but also all the major air, sea, rail, and trucking carriers, a large number of brokers and forwarders, and domestic ports and terminal operators. And on August 18, we opened C-TPAT for the first time to foreign manufacturers – first those based in Mexico, to facilitate their participation in the FAST program, and then to a select group of manufacturers based in other parts of the world.

While CSI protects one means of moving goods into the country at a particular place – the foreign seaport – C-TPAT protects the entire supply chain, including goods moving across our land border by truck or rail and both sea and air cargo. Our C-TPAT partners are making great strides to secure every link in their supply chains. And, we are working with our C-TPAT partners to redesign the containers themselves – adding sophisticated technology to make them “smarter,” more secure, and tamper-evident. In short, we are in the process of revolutionizing and retrofitting global trade to face the 21st Century terrorist threat.

And, we are validating that the security measures have been taken. We’ve launched a program to send teams of CBP Supply Chain Specialists around the world to verify that our C-TPAT partners, their suppliers, and logistics vendors are doing what they say they are doing.

I’ve spent a great deal of time focusing on what we are doing “beyond the border.” But before I close, I should touch on what we are doing at U.S. ports of entry to protect the American people and prevent terrorists and terrorist weapons from entering the United States.

First, let me speak to the numbers. Two years ago, when I took over as Commissioner of Customs, 7.6% of all containers entering the United States – by land, sea, or rail – were inspected by Customs. That figure is now up to 12.1%, and it is rising. Two years ago, only 9% of all rail containers were inspected. That figure is now 22.6%. Sea container inspections have increased from 2% to 5.2%. And truck inspections have increased from 10.3% to 15.1%. These are impressive numbers, and, where necessary, I am pushing to increase CBP’s capacity to rapidly inspect containers without slowing legitimate trade.

Advance Information and Technology I should point out there is no reason to increase the inspections blindly – or just for the sake of having higher inspection statistics. Quite frankly, it would be counterproductive and damaging to the U.S. economy to inspect 100% of the 7 million sea containers or the 11 million trucks that arrive in the United States every year. We must use some risk management techniques to identify and screen the relatively few high-risk shipments out of the millions of virtually no-risk shipments.

Through regulations such as the 24 Hour Rule, those requiring advanced passenger information, and the proposed rules under the Trade Act of 2002 which require advance information on all shipments, I am pushing to improve our ability to focus our efforts on the high-risk shipments. We are also working with the Intelligence Community and others to improve our targeting rules and systems. It is through effective targeting that we meet our goal of inspecting 100% of high-risk people and cargo, while allowing legitimate commerce and passengers to proceed unimpeded.

We are also increasing our inspection rates through the rapid deployment of radiation detection technology, as well as large-scale X-Ray type imaging systems. In the almost two years since I became Commissioner of Customs, CBP has deployed this equipment to every major U.S. port of entry. This has dramatically

increased our ability to inspect high-risk containers, but it has done so in a way that does not interrupt the flow of legitimate commerce.

In closing, CBP has moved aggressively to secure the flow of people and commerce into our country. It has done this at our physical border, and beyond our border ? working both with foreign governments and the private sector. And it has done this without materially slowing the flow of legitimate travel and commerce. Are we finished yet? No. Are we working to make America even more safe? Yes. And I look forward to working with Secretary Ridge, Under Secretary Hutchinson, Admiral Loy, and Admiral Collins ? as well as this Committee ? to continue our project of securing America from terrorism.