



TESTIMONY OF

KEVIN K. MCALEENAN  
Commissioner  
U.S. Customs and Border Protection

BEFORE

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Committee on Homeland Security  
Subcommittee on Border and Maritime Security

ON

“Border Security, Commerce and Travel: Commissioner McAleenan’s Vision for CBP”

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## **Introduction**

Chairwoman McSally, Ranking Member Vela, and distinguished Members of the Subcommittee, thank you for the opportunity to appear before you today on behalf of U.S. Customs and Border Protection (CBP). I was deeply honored to be confirmed by the Senate, and sworn in by the Secretary on March 20<sup>th</sup>, as the fifth Commissioner of CBP. It is a privilege to continue working alongside some of the finest professionals in government service to tackle the most compelling mission set in law enforcement.

CBP is central to so many priorities for the American people and the Administration, from countering terrorism, to enhancing border security, to securing and facilitating trade and travel. In our relentless pursuit of a more secure and economically competitive nation, we aspire to be the most innovative and trusted law enforcement agency in the world. During my tenure as CBP Commissioner, I am committed to streamlining CBP efforts and focusing on unity of effort through a “One CBP” culture; to attracting and retaining the best workforce to serve our nation and meet tomorrow’s challenges; to accelerating the adoption of innovative technology to keep America and our workforce safe; to building and strengthening partnerships across government and with our international counterparts; and to transforming the ways our stakeholders interact with CBP.

My testimony today discusses CBP’s ongoing efforts to keep our nation safe and my priority strategies for enhancing those efforts. I also appreciate the important oversight responsibility of this Committee and pledge to continue working with you to ensure we carry out our missions in a manner consistent with the law.

With the support of Congress to provide us the resources, authorities, and legislative changes we need, I believe that CBP will make strides across our core missions and in every area of our operations, from border security, counterterrorism, agriculture protection, and travel and trade facilitation to trade enforcement. We will also enhance our internal integrity programs and pursue transparency and professionalism measures that will help us increase and maintain the trust of the public we are sworn to serve.

My vision for the organization is that CBP become the most effective, most innovative, and most trusted and transparent law enforcement agency in the United States, while remaining the premier border security and management agency in the world. Investing and focusing on developing our culture, supporting and building our workforce and its resiliency, and capitalizing on emerging technologies will help us deepen partnerships and enhance how we engage our stakeholders, for the traveling public and trade communities and others that we regulate or interact with.

## **CBP Unity of Effort and “One CBP”**

As America’s unified border agency, CBP protects the United States from terrorist threats and prevents the illegal entry of inadmissible persons and contraband, while facilitating lawful travel and trade. Before the creation of the Department of Homeland Security (DHS) and CBP, border security, trade and travel compliance, and the facilitation of international travel and trade were conducted by multiple agencies. After September 11<sup>th</sup>, 2001 I was extraordinarily fortunate to have the opportunity to help lead the new focus on counterterrorism within the United States Customs Service and then support the transition to our unified border security agency as U.S.

Customs and Border Protection. On March 1, 2003, CBP became the nation's first comprehensive border security agency with a focus on maintaining the integrity of the nation's boundaries and POEs. The consolidation of these roles and responsibilities allowed CBP to develop seamless security procedures while ensuring compliance with the nation's immigration, health, and international trade laws and regulations.

Because of the work of CBP employees, the Nation's borders and the American communities around them have never been more secure. But there is much more to be done. As CBP progresses into its second decade, the Nation will see a fully-integrated approach to international security, trade, and travel that makes the world safer, facilitates international travel and trade, and pushes forward the continuous improvement of CBP's operations. I am honored to lead these efforts.

### **Attract and Retain a World-Class Workforce**

CBP's U.S. Border Patrol (USBP) and Air and Marine Operations (AMO) agents patrol our Nation's borders, maritime approaches, and associated airspace to prevent the illegal entry of people and goods into the United States. CBP officers and agriculture specialists are multi-disciplined and perform the full range of inspection, intelligence analysis, examination, and law enforcement activities relating to the arrival and departure of persons, conveyances, and merchandise at air, land, and sea POEs. The people of CBP do the critical, sometimes dangerous work of keeping Americans safe, often in remote locations and in all kinds of environmental conditions. I am proud of their dedication, integrity, and commitment, and it is a privilege to work for and alongside each and every one of them.

CBP has faced challenges in the past to meet our hiring goals. However, we have taken decisive action, while recognizing that much work remains to be done to ensure we have enough officers and agents to meet our needs well into the future. In the last two years, more than 40 individual improvements to CBP's hiring process have resulted in significant recruitment and hiring gains—despite record low unemployment around the United States and intense competition for highly-qualified, mission-inspired people. With support from Congress, we are making investments in our capability and capacity to hire across all frontline positions. CBP is focusing on efforts to attract qualified candidates and expedite their progress through the CBP hiring process.

In the last two years, CBP has undertaken a comprehensive effort to look across all of our recruitment and hiring process areas. We implemented process changes that have resulted in significant recruitment and hiring gains. We embraced the use of social media, and are working to more effectively identify the best return on investment in digital media. We have also introduced a mobile app for applicants in our hiring pipeline to keep them engaged during the process. We are going to introduce an “applicant care” component whereby we assign a dedicated employee to an applicant to help them navigate the process. We are also leveraging private sector expertise and experience in recruiting and human resources to provide additional capacity.

CBP's streamlined frontline hiring process has led to significant reductions in the average time-to-hire. In the last 12 months close to 70 percent of new USBP agents and 60 percent of new CBP officers on-boarded in 313 days or fewer, with 17 percent of each occupation on-boarding within 192 days. While work remains to be done to improve the process, this is a significant

improvement from the 469-day overall baseline established in January 2016. This streamlined process has helped us to grow our workforce by reducing the number of qualified candidates who drop out due to process fatigue or accepting more timely job offers elsewhere. CBP's background investigation time is approximately 90 days for a Tier 5 level investigation, which is required for all of CBP's law enforcement officer applicants and 90 percent of CBP applicants overall. This is considerably faster than the government average for the same level investigation. CBP is also recognized as having a best practice quality assurance program, which other agencies regularly visit CBP to learn about.

As a result of these improvements, CBP's FY 2017 hiring totals surpassed FY 2016 totals, including increases of 21 percent for CBP officers, four percent for USBP agents, and 91 percent for AMO air interdiction agents. In FY 2017, CBP reached the highest number of USBP agent hires since FY 2013, and the highest number of air interdiction agents and marine interdiction agent hires since FY 2014. The total number of frontline applicants increased by 73 percent between FY 2015 and FY 2017, including a 41 percent increase from FY 2016 to FY 2017.

CBP is also actively working to minimize attrition and fill positions in "hard-to-fill" locations that are often remote and offer very limited amenities compared to metropolitan locations. A stable relocation program will help meet USBP operational requirements and alleviate the workforce's concerns about lack of mobility, which is significantly contributing to increased attrition. CBP is thankful for the continued dedication of Members of Congress to working collaboratively with CBP to find a variety of targeted solutions to address our complex hiring challenges.

Consistent with the Explanatory Statement accompanying the FY 2017 *Consolidated Appropriations Act* concerning the alternative polygraph exam format, CBP conducted a six-month pilot program that allowed the agency to compare data points from applicants tested with the new, alternative format against applicants tested with the previous format. CBP developed this pilot in collaboration with the National Center for Credibility Assessment, which governs all federal polygraph programs. Before making any determination on whether to continue with the piloted test or return to the previous test, CBP is carefully evaluating these metrics and measures to maintain CBP's high standard of integrity for future applicants, and we ensure ongoing communication with Congress on this area of interest. While its format may change, the exam retains all of the critical test topics of the previous exam and maintains CBP's commitment to high integrity standards for its personnel.

Additionally, DHS supports the *Anti-Border Corruption Reauthorization Act of 2017*, which was ordered as H.R. 2213 in the House of Representatives and S. 595 in the Senate. The House passed H.R. 2213 on June 7, 2017, thanks to the strong support of this Subcommittee and the co-sponsorship of Chairwoman McSally, and the bill is currently pending vote by the Senate. This pending legislation grants the Commissioner authority to waive the polygraph requirement for three groups of applicants who have a demonstrated, longstanding history of public trust and meet specific criteria: current, full-time state and local law enforcement officers; current, full-time federal law enforcement officers; and veterans, active duty service members, and reservists. We thank the Members of Congress for your continued support as we seek to hire the men and women who will fulfill CBP's complex and crucial mission in the months and years to come.

## **Empower with Innovative Technology**

Technology enhances CBP's operational capabilities by increasing our ability to detect and apprehend individuals illegally crossing the border, to detect dangerous goods and materials concealed in cargo and vehicles, and to detect and interdict illegal activity in the air and maritime domains. Advanced detection and surveillance technology is a critical element of CBP's multi-layered border security strategy to deploy the right mix of personnel, technology, and tactical infrastructure to enable us to meet the everyday challenges of a dynamic border threat environment. For CBP, the use of technology in the border environment is an invaluable force multiplier that increases situational awareness. It allows us to more quickly deter, and more safely detect illegal activity, including unauthorized border-crossers, and interdict illicit materials, including illicit narcotics, and those who attempt to smuggle them.

### *Border Security*

President Trump has directed CBP toward a new standard of border security between the POEs, and defined operational control as the ability to prevent or interdict all illegal border crossings. To make progress toward this standard, CBP will need substantial investments in impedence and denial capabilities, surveillance technology, access and mobility, and mission readiness and personnel. For impedence and denial, a modern border wall system will significantly enhance CBP's efforts to attain operational control of the border between the POEs. Border barrier systems are comprehensive solutions. A wall system that integrates sensors, cameras, lighting, and access and patrol roads, has the support of our USBP agents working our borders and is the direct result of an in-depth analysis of existing capability gaps. Between the POEs, tactical infrastructure, including physical barriers, has long been a critical component of CBP's multi-layered and risk-based approach to securing our southwest border. It is undeniable that border barriers have enhanced- and will continue to enhance- CBP's operational capabilities by creating persistent impedence and facilitating the deterrence and prevention of illegal entries of people and contraband.

Constructing and improving CBP's physical infrastructure is also essential to keeping Americans safe. CBP is investing in modernizing our land POEs along the northern and southern borders to ensure that CBP's physical infrastructure is operationally viable for frontline and mission support functions. Thanks to the funding provided in the FY 2018 Omnibus, CBP is working with the General Services Administration (GSA) to ensure that our priority requirements in locations including Otay Mesa, CA, and Alexandria Bay, NY receive much-needed updates. We look forward to working with GSA and Congress to ensure that our physical infrastructure meets CBP's needs now and in the future.<sup>1</sup>

CBP is actively engaging with our Nation's best minds in and outside of government to find innovative solutions to the challenges facing our country. For example, groundbreaking software developed by the Johns Hopkins University Applied Physics Laboratory is giving AMO agents the edge in combating international smugglers intent on evading law enforcement. Minotaur, as the software is called, links sensors, cameras, radar, and communications equipment into a single, automated system, allowing operators to more efficiently identify and track any suspicious or

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<sup>1</sup> Alexandria Bay, NY, Lewiston Bridge, NY, San Luis I, AZ, Otay Mesa, CA, Blaine, WA, and Calexico West, CA have been identified as priority requirements in the President's FY 2019 budget.

illegal activity on both land and sea. This technology, when coupled with robust space-based satellite links, allows AMO to increase the situational awareness of its law enforcement partners by sharing video and radar track data real-time. As the Minotaur system evolves, it will allow multiple aircraft to share information from multiple sources, providing a never-before-seen level of air, land, and maritime domain awareness for a larger number of users.

CBP is also partnering with DHS Science and Technology to access emerging technologies and tools from start-ups and others. From innovative surveillance approaches that can provide multi-sensor data direct to our agents, to tools to protect our canines, to analyzing data feeds, to empowering our agents on the ground with portable small unmanned aircraft systems capability, CBP will continue to push for more efficient and effective ways to support our personnel and carry out our mission.

But CBP is part of a system which neither begins nor ends at our borders, and which innovative technologies and enhanced interdiction capabilities alone cannot prevent illegal crossings. The Administration seeks support from Congress to amend current law to facilitate the expeditious return of Unaccompanied Alien Children (UACs) and family units who are ineligible for relief. The Administration supports correcting the systemic deficiencies that created the asylum backlog, and supports providing additional resources to reduce the immigration court backlog and ensure the swift return of illegal border crossers. I look forward to working with Congress on the legislation needed to enhance the security of our country, ensure effective immigration and enforcement, and protect American workers and taxpayers. These legislative needs have a direct impact on CBP and our ability to perform our mission.

#### *Narcotics Interdiction*

As America's unified border agency, CBP plays a critical role in preventing dangerous drugs, including opioids, from reaching the American public. CBP uses advanced detection equipment and technology, including Non-Intrusive Inspection (NII) equipment and radiation detection technologies, to maintain robust cargo, commercial conveyance, and vehicle inspection regimes at our POEs. NII technologies deployed to our Nation's land, sea, and air POEs include large-scale X-ray and gamma-ray imaging systems, as well as a variety of portable and handheld technologies. NII systems enable CBP officers to examine cargo conveyances such as shipping containers, commercial trucks, and rail cars, as well as privately owned vehicles, for the presence of contraband without physically opening or unloading them. CBP is establishing the Model Port concept as the guiding framework to streamline the cargo and passenger vehicle inspection process to increase the volume of vehicles examined. We anticipate completing testing and evaluation of drive-through X-ray system pilots this year. Additionally, we anticipate completing the technical architectural framework that will be used within the design for the Donna, Texas land POE through the Donations Acceptance Program. We will continue to adapt our deployment of NII systems so that we can work smarter and faster in detecting contraband, while expediting legitimate trade and travel. Additionally, Operations Support's Laboratories and Scientific Services Directorate plays a critical role in the detection of opioids and in identifying the chemical screening devices that will help CBP target new designer drugs, including opioids.

All told, in FY 2017 CBP officers and agents seized or disrupted over 1.9 million pounds of narcotics across the country, including over 60,000 pounds of methamphetamine, over 330,000

pounds of cocaine, over 4,800 pounds of heroin, and approximately 1,476 pounds of illicit fentanyl.<sup>2</sup> More than 790 pounds of illicit fentanyl have already been seized in FY 2018.

CBP, with the support of Congress, has made significant investments in and improvements to our drug detection and interdiction technology and targeting capabilities at and in between our POEs, including in the international mail and express consignment carrier (ECC) environments. The United States Postal Service (USPS) receives international mail from more than 180 countries, the vast majority of which arrives via commercial air or surface transportation. An increasing number of foreign postal operators provide advance electronic data (AED) to USPS, which is then passed on to CBP.

CBP and the USPS are currently conducting an AED pilot on express mail and e-packets from select countries at five of our main International Mail Facilities (IMFs) to target high-risk shipments, with plans for further expansion. USPS is responsible for locating the shipments and delivering them to CBP for examination. Thus far in FY 2018, CBP has interdicted 186 shipments of fentanyl at the John F. Kennedy International Airport IMF, a participant in the AED pilot program. One hundred and twenty-five of those interdictions can be attributed to AED targeting. We support efforts to expand the ability of USPS to collect fees to help offset the additional cost associated with building the capacity of foreign postal operators to implement AED collection, to develop new scanning technology, and to greatly increase the availability of AED for international mail.

Recent agreements between USPS and foreign postal operators regarding AED have increased CBP's ability to target high-risk shipments. Currently in the international mail environment CBP receives AED on over 40 percent of all international mail shipments with goods. The volume of mail and the potentially hazardous nature of various types of illicit drugs presents challenges to CBP's interdiction efforts in the international mail environment. CBP will continue to work with USPS and the U.S. Department of State (DOS) to address the issue of AED and, through its participation on U.S. delegations to meetings of the Universal Postal Union (UPU), is working to expand the use of AED globally in ways consistent with the United States' international obligations as a member of the UPU.

### **Build and Develop Partnerships**

CBP is committed to fulfilling our complex missions and to do that, we are working with our partners across the country and around the world. I am actively seeking to deepen our partnerships across all levels of government and with our international counterparts to ensure that information is shared quickly, resources are spent where they are most needed, and that the American people and economy are kept safe.

#### *Counter-Terrorism*

Since September 11<sup>th</sup>, the United States Government has improved information sharing regarding known or suspected terrorists (KSTs), including by creating the Terrorist Screening Center (TSC). The TSC is a multi-agency organization administered by the the Federal Bureau of Investigation (FBI), and is responsible for managing and sharing the Terrorist Screening Database (TSDB)

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<sup>2</sup> <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics-fy-2017>.

which contains identity information on international and domestic KSTs. We have also worked closely with our foreign partners to deepen bilateral and international information sharing to enhance the depth and quality of our information holdings.

For example, CBP offers its automated targeting system-global (ATS-G) software, along with technical assistance, to potential international partners. ATS-G is similar to the software used at the National Targeting Center (NTC) and evolved from decades of experience designing and operating passenger and cargo targeting systems. The software can vastly improve how travelers flying in and out of a country are vetted.

CBP also created the global travel assessment system (GTAS). GTAS permits foreign countries to independently perform vetting activities without the collaboration involved with ATS-G. Launched in 2016, GTAS is free and designed for rapid use. The software is easily downloaded from a special CBP website and ready to use. It can also be used to improve an existing vetting system because the coding allows nations to customize the software or just download the portions that meet their needs.

GTAS is comparable to ATS-G because GTAS also automatically evaluates passenger manifests in real time to identify suspicious travelers or crew members who may pose a national security risk and require a closer assessment. Using GTAS, governments can screen suspects before they enter or leave that nation. Since the software is new, CBP is working with the World Customs Organization in Brussels, a group that promotes trade and supply chain security, to promote this software. In an interconnected world, it is more important than ever that countries conduct these risk assessments, and CBP is helping advance global security through ATS-G, GTAS, and the expertise of the NTC.

#### *National Targeting Center (NTC)*

At CBP's NTC, advance data and access to law enforcement and intelligence records converge to facilitate the targeting of travelers and cargo that pose the highest risk to our security in all modes of inbound transportation. The NTC takes in large amounts of data and uses sophisticated targeting tools and subject matter expertise to analyze, assess, and segment risk at every stage in the cargo/shipment and travel life cycles. As the focal point of that strategy, the NTC leverages classified, law enforcement, commercial, and open-source information in unique, proactive ways to identify high-risk travelers and shipments at the earliest possible point prior to arrival in the United States.

To bolster its targeting mission, the dedicated men and women of the NTC collaborate with critical partners on a daily basis, including ICE Homeland Security Investigations (ICE-HSI), the Drug Enforcement Administration (DEA), the FBI, members of the Intelligence Community (IC), and the U.S. Postal Inspection Service (USPIS). ICE-HSI and USPIS investigative case data is fused with CBP targeting information to bolster investigations targeting illicit narcotics smuggling and trafficking organizations. Moreover, NTC works in close coordination with several pertinent task forces, including the Organized Crime Drug Enforcement Task Forces (OCDETF), the High Intensity Drug Trafficking Areas, the Joint Interagency Task Force-West (JIATF-W), the DHS Joint Task Force-West (JTF-W), and DHS Joint Task Force—Investigations (JTF-I).



### *National Vetting Center*

On February 6, 2018, President Trump ordered the establishment of a National Vetting Center (NVC), to be managed by DHS under the guidance of a newly established National Vetting Governance Board. CBP will be a key component helping lead the implementation of the NVC. The NVC will be co-located with the NTC to leverage its existing capabilities, workforce, system capabilities, network connections, and interagency presence. The NVC will provide frontline government personnel with the information they need to keep terrorists, criminals, and other threats out of the country. Consistent with applicable law and policy, it will ensure that international travelers and visa and immigration benefit applicants are vetted against all appropriate United States Government information to identify national security and public safety threats.

### *Border Security*

The number of individuals apprehended while trying to enter the country illegally in between established POEs, and in those presenting themselves for entry without proper documentation along our southwest border, increased by 37 percent from February to March 2018. When compared to March of 2017, the increase is an extraordinary 203 percent.<sup>3</sup> CBP is committed to working with our domestic and international government partners to secure our border and anticipate- and even prevent- increases in apprehensions.

To enhance CBP's capability in southwest border sectors the U.S. Department of Defense (DOD), in conjunction with border state governors, has begun deploying the National Guard to assist in stopping the flow of deadly drugs and other contraband, gang members and other criminals, and illegal aliens into this country. Initial forces are already on the ground. The National Guard will assist CBP by providing logistical and administrative support, operating detection systems, providing mobile communications, augmenting border-related intelligence analysis efforts, and repairing border infrastructure. National Guard members will provide added surveillance, engineering, administrative, and mechanical support to our agents on the frontline to allow them to focus on their primary responsibility of securing our border. National Guard personnel will not conduct law enforcement activities, will not be assigned responsibilities that require direct contact with migrants, and will not be assigned missions that require them to be armed. This deployment will allow CBP to send frontline personnel back to the border and raise our interdiction and efficiency rates. CBP is working with DHS and DOD to ensure a seamless coordination of efforts.

Throughout Central America, CBP leverages its Attaché and Advisor network to engage local immigration, border management, and police authorities, as well as our federal partners such as the DOS International Narcotics and Law Enforcement (INL), U.S. Agency for International Development (USAID), and ICE to enhance security and promote prosperity in the region. CBP efforts in the region include training, mentoring, and sharing best practices with local law enforcement; making customs processes more efficient and transparent to enhance trade facilitation; and build the capacity of law enforcement in each country to counter drug smuggling activities, monitor, track, and deter the illicit migration of third country nationals, and facilitate cross-border coordination.

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<sup>3</sup> <https://www.cbp.gov/newsroom/stats/sw-border-migration>.

CBP hosts monthly briefings/teleconferences with federal, state, and local partners regarding the current state of the border – both northern and southern– to monitor emerging trends and threats and provide a cross-component, multi-agency venue for discussing trends and threats. The monthly briefings focus on drugs, weapons, and currency interdictions and alien apprehensions both at and between the POEs. These briefings/teleconferences currently include participants from: the Government of Canada, the Government of Mexico, the Government of Australia, ICE, U.S. Coast Guard (USCG), DEA, FBI, DOD’s U.S. Northern Command, U.S. Central Command, U.S. European Command, and U.S. Southern Command, Joint Interagency Task Force-South (JIATF-S), the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), U.S. Attorneys’ Offices (USAOs), Naval Investigative Command, State and Major Urban Area Fusion Centers, and other international, federal, state, and local law enforcement as appropriate.

The Office of Intelligence (OI) hosts a bi-weekly fusion forum to facilitate an open discussion with CBP’s federal, state, local, and international partners on emerging trends and patterns, specific problem sets confronted by each organization, and each organization’s attempts to address them. Additionally, OI personnel take part in a variety of weekly or monthly conference calls related to a variety of issues affecting CBP’s mission including narcotics, terrorism, trade and migration.

CBP is enhancing our collaboration with other DHS components to leverage the unique resources, authorities, and capabilities of each agency to more effectively and efficiently execute our border security missions against drug trafficking organizations, transnational criminal organizations, and other threats and challenges. Under the Department’s Unity of Effort initiative the JTF-W, JTF-East, and JTF-I operations also increase information sharing with Federal, state and local law enforcement agencies, improve border-wide criminal intelligence-led interdiction operations, and address transnational threats.

#### *Extended Border: Source and Transit Zone Operations*

AMO’s significant contribution of aerial support to the JIATF-S mission<sup>4</sup> to detect and monitor aerial and maritime transit of illegal drugs into the United States has been critical to JIATF-S’s continued success. AMO’s P-3s fixed wing aircraft are an integral part of the successful counter-narcotic missions with the JIATF-S. P-3s patrol a 42 million-square-mile area that includes more than 41 nations, the Pacific Ocean, Gulf of Mexico, Caribbean Sea, and seaboard approaches to the United States. Already in FY 2018, AMO involvement in the JIATF-S mission has resulted in the seizure of 52,839 pounds of cocaine, with a wholesale value of \$711 million.

#### *International Trade Coordination and Facilitation*

On March 26, 2018, I was in Mexico City to sign a memorandum of cooperation with Osvaldo Santin, Chief of Mexico’s Tax Administration Service, to help our two countries better cooperate on trade and customs compliance, as well as combat illicit activities. Issues covered under this memorandum include anti-dumping duties, counterfeit merchandise, and substandard pharmaceuticals.

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<sup>4</sup> Title 10 U.S.C. § 124 statutory obligatory

Additionally, CBP and the Mexican tax service signed a memorandum of understanding on a cargo pre-inspection program and Unified Cargo Processing (UCP). UCP currently operates at seven ports of entry along the U.S.-Mexico border, with the memorandum merging two more cargo pre-inspection sites into UCP. UCP eliminates duplicative inspection efforts while reducing border wait times and costs for the private sector. The new agreement looks to expand the process to possibly more than a dozen locations. CBP and the National Service for Agro-Alimentary Public Health, Safety and Quality – Mexico’s agency responsible for inspecting incoming goods for pests and diseases – also signed an agreement to enable collaboration between the two agencies on agriculture safeguarding, agriculture quarantine inspections at ports of entry, and information sharing. The memorandum promotes cooperation and information sharing to enable the United States to handle legitimate and safe shipments quickly while addressing those that pose a risk.

#### *Collaboration with our Trade Partners in the Private Sector*

CBP is actively engaging with our trade partners in the private sector. *The Trade Facilitation and Trade Enforcement Act of 2015* (TFTEA) empowered CBP to collaborate with our partners in new ways, and CBP remains committed to enforcing trade law in accordance with the mandates of TFTEA and in close collaboration with our partners across government and the private sector while facilitating legitimate trade.

The Commercial Customs Operations Advisory Committee (COAC) advises the Secretaries of the U.S. Department of the Treasury and DHS on all matters involving the commercial operations of CBP, including advising on significant proposed changes to regulations, policies, or practices. The trade environment is changing rapidly. Most notably, CBP has seen a nearly 50 percent increase in express consignment and international mail shipments over the past five years. In FY 2013, CBP processed over 76 million express bills and, in FY 2017, CBP processed approximately 110 million bills. In FY 2013, CBP and the USPS processed approximately 150 million international mail shipments. By FY 2017, the number of international mail shipments had swelled to over 400 million.

As new e-commerce participants may not know they are importers, or understand the responsibilities of being an importer, COAC identified the need for a mechanism to educate the public. COAC also identified the need for better data collection, automation, and a legal framework for sharing data. The working group also identified education and outreach as a need. As a follow-up to recent meetings, the working group developed recommendations that CBP is working to implement.

#### **Transforming CBP**

As international trade and travel grow, so too does CBP’s workload and the expectations on our people and systems. I am committed to ensuring that we meet those expectations, and the new and changing demands placed on CBP, with the utmost professionalism in keeping with the CBP vision: to serve as the premier law enforcement agency enhancing the Nation’s safety, security, and prosperity through collaboration, innovation, and integration.

### *Biometric Exit*

Since FY 2013, CBP has led the entry/exit mission, including research and development of biometric exit programs. A comprehensive entry/exit system that leverages both biographic and biometric data is key to supporting DHS's mission. Adding biometrics provides greater assurance of the information already collected by CBP and will allow for future facilitated processing upon both entry and exit. CBP will use a traveler's face as the primary way of identifying the traveler to facilitate entry and exit from the United States, while simultaneously leveraging fingerprint records from most foreign visitors, such as are collected during entry processing, to check derogatory holdings and perform other law enforcement checks. This innovative structure will make it possible to confirm the identity of travelers at any point in their travel, while at the same time establishing a comprehensive biometric air exit system.

Using the Traveler Verification Service (TVS), CBP has re-architected data flows and data systems to pre-stage biometric data throughout the travel process. TVS, a robust cloud-based service, serves as the backbone to verify traveler identity across the air, land and sea travel modes of operation. TVS uses biometric data to retrieve all associated traveler facial images from DHS holdings and segregate them into smaller, more manageable data sets, for example, by flight, by cruise, or by frequent border crossers. It fuses biometric and biographic information, enabling the biometric data to be the key to verifying traveler identity with the advance data. CBP has demonstrated the capabilities of TVS at airports across the United States<sup>5</sup> as well as in the sea environment and plans to pilot the capability at land POEs in 2018.

CBP is continuing to discuss with additional airlines how they can be incorporated into the program, and we are ready to partner with any airline or airport that wishes to use biometrics to expedite the travel process for its customers. One of our biometric exit partners has told us that the new process allows it to board an A380, the largest passenger plane in wide operation in the world, in less than 20 minutes.

In the land border environment CBP will conduct a technology demonstration for "at speed" facial biometric capture camera technology on vehicle inbound and outbound travelers at our land POEs. CBP will utilize operational facilities at the Anzalduas, Texas, POE to evaluate performance of "at-speed" facial technology including determining optimal equipment placement, number of cameras necessary to capture photos beyond the driver, and establish performance baselines.

Comparative analysis will be performed on facial recognition matching algorithms being developed by academia and industry on images captured during the technology demonstration against traveler photos on file in government holdings. CBP will create a gallery of expected border crossers and validate the concept of "face as a token" and close the arrival departure reporting gap in the vehicle environment. The technology demonstration will begin in 2018.

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<sup>5</sup> Washington Dulles International Airport (June 2017); Atlanta Hartsfield-Jackson International Airport (June 2017 upgrade demonstration capability; original pilot in 2016); Houston George Bush Intercontinental Airport (June 2017); Chicago O'Hare International Airport (July 2017); Las Vegas McCarran International Airport (July 2017); Houston William P. Hobby Airport (August 2017); John F. Kennedy International Airport (August 2017); Miami International Airport (October 2017)

### *Simplified Arrival*

Our new simplified arrival process quickly and reliably uses the traveler's face to biometrically verify identity and retrieve traveler records from our systems. This eliminates manual, time consuming steps for most travelers, such as document scans and fingerprint captures, which speeds up the inspection process. Simplified Arrival is the first step in re-envisioning the entirety of how travelers arrive in the United States. With a faster clearance process, airlines, airports, and travelers benefit from shorter connection times and standardized arrival procedures. Our initial pilot programs in Miami have shown that arriving passengers can clear the immigration and customs area 35 percent faster using the new biometric process.

CBP is committed to working with our travel industry partners to transform the international travel process and enhance the passenger experience. CBP's goal is to integrate best practices into existing processes and infrastructure to ensure a seamless, secure travel experience for everyone.

### *Web-based service*

We are committed to making sure that travel is secure and straightforward. For example, in January 2018, CBP launched two new traveler compliance initiatives to make it easier for Visa Waiver Program (VWP) travelers to check the status of their stay in the United States and remain in compliance with the terms of their admission. A new feature added to the I-94 website under the "View Compliance" tab allows VWP travelers to check the status of their admission to the United States. This check will inform travelers of the number of days remaining on their lawful admission or the number of days they have remained past their admitted until date. In addition, CBP will now send an email notification to VWP travelers who are still in the United States 10 days prior to the expiration of their lawful admission period. CBP has taken these proactive steps to help inform and remind travelers of the terms of their admission and to prevent travelers from overstaying.

### *Automated Commercial Environment (ACE)*

With the strong support of Congress, CBP reached an historic milestone on February 24, 2018, deploying the last of the major scheduled core trade processing capabilities in the Automated Commercial Environment (ACE). ACE is the "Single Window" through which all import and export data are reported by industry to more than 47 partner government agencies, automating 269 different forms and streamlining trade processes. Built on a modernized platform, ACE has resulted in a 44 percent reduction in wait times for truck processing at land POEs and the 68 times faster processing of bonds.

Looking ahead, CBP will focus on sustaining all deployed ACE capabilities and ensuring ACE operates as a highly available, reliable system. There is an ongoing demand for additional and enhanced ACE capabilities, and CBP will continue to collaborate with the trade community, partner government agencies, and stakeholders to implement automated solutions that advance secure shipments, streamline trade processes and support the strong enforcement of trade laws. This includes increased focus on the rise of e-commerce and high-volume, low value shipments, an aspect of the U.S. economy that presents enforcement and trade facilitation challenges. System enhancements to enable *de minimis* functionality will provide CBP access to previously unavailable admissibility data for low value shipments, resulting in improved cargo processing and use of enforcement resources.

### *Transparency and Accountability*

As Commissioner, I am committed to ensuring transparency and employee accountability regarding the use of force. The CBP National Use of Force Review Board (NUFRB) is a review committee established to review all significant use of force incidents – those that result in serious bodily injury or death and those that involve the discharge of a firearm,<sup>6</sup> regardless of the outcome. The NUFRB is comprised of senior officials from across CBP, as well as officials from DHS and DOJ. As of October 2017, there have been 11 meetings of the board. These meetings have reviewed 36 significant use of force incidents. CBP recently completed a web-based tracking system for recommendations made by the NUFRB.

Local Use of Force Review Boards (LUFBRs) were established to conduct an objective review of the use of less-lethal devices not addressed by the NUFRB. The LUFBRs provide CBP senior leadership with an objective assessment of less-lethal force incidents from a regional committee of leadership from components within CBP. CBP recently initiated the development of a web-based tracking system for cases that come before the LUFBR. This system will track the consideration and disposition of cases heard by the LUFBRs. These systems will help us hold one another accountable to the public-and to ourselves.

As part of CBP's continued emphasis on transparency and accountability, CBP is also beginning to implement Incident Driven Video Recording Systems (IDVRS). CBP is first conducting a thorough field evaluation (March-September 2018) and analysis to provide more thorough information concerning the expansion of audio and video recording capabilities through the incorporation of IDVRS. In an effort to maintain a high level of transparency, CBP recently conducted a Privacy Impact Assessment (PIA). The goal of the evaluation was to determine the effectiveness of fixed, vehicle, and body-worn camera technology to provide an accurate representation of law enforcement encounters, while allowing CBP officers and agents to safely perform their duties. CBP published the PIA to evaluate the privacy concerns associated with CBP's use of incident-driven video recording technology at and between POEs and to inform the public of potential privacy concerns associated with the deployment of body worn cameras and other audio/video recording devices, as well as CBP's planned efforts to mitigate those potential privacy concerns. The PIA is now available on the DHS website.<sup>7</sup>

Body-worn cameras alone may not be the proper solution. CBP seeks to determine the most effective and efficient solution to an IDVRS strategy, including a comprehensive incorporation of body-worn, vehicle-mounted, and permanently fixed camera systems, to help CBP further fulfil our commitment to transparency and accountability. We will continue to pursue initiatives that advance our integrity and transparency.

### **Conclusion**

The border environment in which CBP works is dynamic and requires continual adaptation to respond to emerging threats and rapidly changing conditions. I am proud of CBP's dedicated workforce, who continue to meet these challenges with integrity and commitment. The challenges facing our nation are considerable. However, with the talents and energy of the people of CBP,

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<sup>6</sup> Excluding the euthanasia of an animal and AMO vessel disabling fire or warning shots.

<sup>7</sup> <https://www.dhs.gov/publication/dhscbppia-052-incident-driven-video-recording-systems-idvrs-evaluation>

along with the support of the Administration and Congress, we will continue to make great strides in the months and years ahead.

Thank you for the opportunity to appear before you today. I look forward to working with you and your colleagues in Congress, and I look forward to your questions.