



TESTIMONY OF

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BEFORE

House Appropriations Committee  
Subcommittee on Homeland Security

ON

“FY 2019 Budget Hearing - U.S. Immigration and Customs Enforcement  
and U.S. Customs and Border Protection”

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## **Introduction**

Chairman Carter, Ranking Member Roybal-Allard, Members of the Subcommittee, it is an honor to appear before you today. As America's unified border agency, U.S. Customs and Border Protection (CBP) protects the United States from terrorist threats and prevents the illegal entry of inadmissible persons and contraband, while facilitating lawful travel and trade. The President's Fiscal Year (FY) 2019 Budget includes \$16.7 billion in total discretionary and mandatory funding to help enable CBP to achieve our complex and vital mission with the right combination of talented and dedicated personnel, intelligence-driven and risk-based strategies, collaborative partnerships, tactical infrastructure, and advanced technology.

This Budget supports CBP's roadmap to meet our mission goals and reinforces the steps taken by President Trump and his Administration. Before discussing in detail the FY 2019 President's Budget, I would like to address the impact of the recently passed Consolidated Appropriations Act, 2018. I would like to thank Congress for its support of CBP's mission through investments in border infrastructure and technology, port security, and recruitment and retention efforts, to include the largest investment in border wall in more than a decade. We are eager to put this funding to work to improve our nation's security and facilitate trade and travel.

The timing of the appropriations, however, has an impact not only on our execution of that funding in the remaining months of the current fiscal year, but cascading impacts on our planned future year investments as well. As the Committee is aware, the FY 2019 Budget was created to build upon the FY 2018 Budget. In a number of key areas, the FY 2018 appropriation diverges from the FY 2018 Budget both in terms of funding levels and limitations on where and how CBP can use the funding provided. The enacted FY 2018 appropriation does not fully fund our most critical needs for border wall system construction, which deviates from the advice of frontline agents and the priorities articulated in the Border Security Improvement Plan that was submitted to the Subcommittee in January 2018. For these reasons, the Administration continues to seek Congressional support for the unfunded FY 2018 priorities. Additionally, the Department remains committed to working closely with this Committee to provide risk-based, analytically informed operational requirements to support our budget requests. I would appreciate the opportunity to come back to the Committee as we evaluate the impact of the FY 2018 Omnibus on our requirements.

Returning to the details of the FY 2019 Budget, I would like to highlight the proposed investment of \$2 billion in critical border security initiatives. These initiatives include enhancements in high-priority border security technology, tactical infrastructure, assets, and equipment. The Budget also includes \$67 million for trade and travel facilitation and enforcement initiatives, as well as \$27 million to fund CBP's ongoing efforts to counter terrorism and Transnational Criminal Organizations (TCOs) and promote the safety of Americans. Finally, the Budget includes \$85 million to help CBP meet future challenges and opportunities by investing in developing CBP's capabilities and processes throughout the organization. These investments will enhance border security, enforce the Nation's immigration laws, promote public safety, minimize the threat of terrorist attacks by foreign nationals, maintain our ability to provide critical emergency response support to our DHS component partners, and protect American workers from unfair foreign competition.

Along the more than 5,000 miles of border with Canada, over 1,900 miles of border with Mexico, and approximately 95,000 miles of shoreline, CBP is responsible for preventing the illegal entry of people and contraband at and between the Ports of Entry (POEs). 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 men and women who continue to meet these challenges with integrity and commitment.

## **CBP's Border Security Initiatives**

### *Physical Barriers Between the POEs*

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 impedance and facilitating the deterrence and prevention of successful illegal entries. CBP plans to deploy a border wall system in a multi-phased and prioritized approach that meets the U.S. Border Patrol's (USBP) operational requirements, safeguards national security and public safety, and is the result of thorough analysis of threat, cost, and mission effectiveness. Border wall systems are comprehensive solutions that include a concentrated combination of various types of infrastructure such as physical barriers, all-weather roads, lighting, sensors, enforcement cameras, and other related technology, and contribute to USBP's core master capability impedance and denial.

The land along the border between the United States and Mexico is extremely diverse, consisting of desert landscape, mountainous terrain, and urban areas. Thanks to the support of Congress across numerous Presidential Administrations, today, we have several types of barriers, to include steel bollard and levee wall, along nearly one-third, or 654 miles, of the Southwest Border. In FY 2017, Congress provided \$341 million for 40 miles of barrier replacement projects and 35 mechanical gates to close gaps in the existing infrastructure in Rio Grande Valley Sector (RGV). Using these funds, CBP is replacing approximately four miles of primary pedestrian barrier and approximately 20 miles of vehicle barrier in El Paso Sector; approximately two miles of primary pedestrian barrier in El Centro Sector; and approximately 14 miles of primary pedestrian barrier in San Diego Sector using steel bollard wall designs.

The FY 2018 Budget included approximately \$1.6 billion for 14 miles of secondary barrier replacement in San Diego Sector, as well as 32 miles of new border wall system and 28 miles of new levee wall system in RGV. However, Congress provided \$1.4 billion for new and replacement fencing in the FY 2018 Consolidated Appropriations Act.

The FY 2019 Budget continues replacement efforts and adds additional miles of border wall system along the Southwest Border. Building upon the FY 2018 Budget, the FY 2019 Budget includes \$1.6 billion to be applied towards construction of 64 additional miles of border wall system and one mile of replacement wall in RGV, the highest priority sector for the Border Patrol. In recent years, RGV has seen an increase in the flow of illegal alien traffic, and is an area with fewer barriers and less technology than elsewhere along our Southwest border. The combination of rural, rugged terrain that includes the Rio Grande River, as well as urban areas such as Rio Grande City and McAllen, lead to short vanishing times for those illegally crossing the border and

then blending in with the general population. The portions of wall system currently in place are insufficient to impede and deny the flow of people and contraband into RGV, which now has the highest volume of narcotic seizures of any USBP sector—41 percent of all Southwest Border marijuana seizures—as well as 38 percent of all Southwest Border apprehensions.

CBP's proposed future investments, including in RGV, leverage CBP's annual, full spectrum requirements analysis process, which creates a consistent, repeatable, and field-driven approach to conducting mission analysis and planning aimed at identifying capabilities gaps across the complex environments USBP and Air and Marine Operations (AMO) agents work in every day. Capability gaps captured directly from the field using this process are explored through qualitative and quantitative analysis and other evidence to provide information to decision-makers about the border security mission space across the Northern, Southern, and Coastal Borders of the United States. This methodology leads to informed investments that achieve the greatest possible operational impact. As the threats along the borders change, CBP will update this analysis as needed to maximize the impact of future investments.

CBP is seeking to build on the successes of, and lessons learned from, the construction and operation of existing barriers to deploy a system that addresses dynamic cross-border threats. Additionally, we are working with industry and partnering with the U.S. Army Corps of Engineers to incorporate additional alternative barrier design features and other innovative solutions into our border barrier systems. Finally, we remain absolutely committed to ensuring that all stakeholder communities, to include Congress, federal partners, state, local, tribal and territorial officials, and the impacted communities, are informed throughout this process.

### *Technology Investments between the Ports of Entry*

The FY 2019 Budget proposes an investment of \$219.9 million in the sustainment and continued deployment of proven, effective technology to strengthen border security operations between the POEs in the land, air, and maritime environments. Technology complements the operational capabilities provided by tactical infrastructure and enhances CBP's operational capabilities by increasing the ability of the men and women of CBP to detect and identify individuals illegally crossing the border; detect dangerous goods and materials concealed in cargo and vehicles; and detect and interdict illegal activity in the air and maritime domains. For CBP, the use of technology in the border environment is an invaluable force multiplier that increases situational awareness as it enhances the ability of our agents and officers to detect and respond to illegal activity quickly, with less risk to the safety of our front-line personnel.

Fixed systems provide persistent surveillance coverage to efficiently detect unauthorized border crossings. Once detection is confirmed, USBP can quickly deploy the appropriate personnel and resources to interdict the item of interest. The Budget supports these critical assets by including \$22.0 million in FY 2019 for operations and maintenance of the Integrated Fixed Tower (IFT) program and \$2.0 million to support IFT deployment activities. In some areas along the Southwest Border, USBP also uses Unattended Ground Sensors (UGS), which provide short-range, persistent surveillance. The FY 2019 Budget includes an increase of \$6.8 million to purchase UGS and for UGS Maintenance and Support Contracts.

Remote Video Surveillance Systems (RVSS) are fixed technology assets used in select areas along the Southwest and Northern Borders. These systems provide short-, medium-, and long-range persistent surveillance mounted on stand-alone towers, or other structures. The RVSS uses cameras, radio, and transmitters to send video to a control room. This enables a control room operator to remotely detect, identify, classify and track targets using the video feed. The FY 2019 President's Budget includes \$43.7 million for the deployment of 54 fixed RVSS sensor towers and command and control technology at four Station areas of responsibility in the RGV Sector.<sup>1</sup> The program will provide complete command and control modifications for all eight Station areas of responsibility, along with adding new Station towers and Communication Relay towers. The FY 2019 Budget also includes \$27.4 million to sustain RVSS, as well as \$8.1 million for the continued sustainment of the Northern Border RVSS program. Without investments in the deployment and sustainment of fixed-system technology such as IFT, RVSS, and UGS, the USBP's ability to detect, identify, classify, and track illicit activity would be significantly limited.

In areas where rugged terrain and dense ground cover may limit the effectiveness and coverage of fixed systems, USBP also uses mobile and relocatable systems. Mobile Video Surveillance Systems (MVSS) consist of short- and medium-range mobile surveillance equipment mounted on USBP vehicles. The Budget includes \$13.4 million to provide operations and sustainment funding for MVSS, and an additional \$1.6 million to support future procurement to fulfill operational needs on the Southern and Northern Borders. The Subcommittee's support of these investments gives CBP the flexibility to shift more frontline personnel from detection duties to interdiction of illegal activities on our borders.

The Budget also seeks significant investments to our aircraft fleet. The FY 2019 Budget includes \$56.7 million to purchase two King Air350ER multi-role enforcement aircraft (MEA). MEA are the optimal sensor-equipped aircraft for surveillance operations in regions along the Southern and Northern Border, and maritime environments where terrain, weather and distance pose significant obstacles to border security operations. MEA further serve as a force multiplier for law enforcement and emergency response personnel, facilitating the rapid-response deployment of equipment, canines and people.

The P-3 Long Range Tracker and Airborne Early Warning Aircraft provide critical detection and interdiction capability in both the air and marine environment. Their sophisticated sensors and high endurance capability greatly increase AMO's range to counter illicit trafficking. CBP P-3s are an integral part of the successful counter-narcotic missions operating in coordination with the Joint Interagency Task Force-South. The 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. As of March 10, 2018, P-3 operations this fiscal year have resulted in the seizure of 52,839 pounds of cocaine, with a wholesale value of \$711 million. Additionally, CBP P-3s were called upon numerous times to image the catastrophic damage inflicted by Hurricanes Irma and Maria so that FEMA could assess the level of devastation and prioritize its immediate response. P-3 Airborne Early Warning aircraft provided crucial radar advisories to search and rescue aircraft, disaster relief, DOD, USCG and law enforcement aircraft when the Federal Aviation Administration radars were out of service. They are also critical during contingency operations; the P-3 provided 24-hour coverage as an airborne communications platform over Puerto Rico and transported thousands of pounds of humanitarian supplies. The FY 2019 Budget

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<sup>1</sup> These will be deployed in Rio Grande City (RGC), McAllen (MCS), Weslaco (WSL), and Harlingen (HRL).

includes an increase of \$13.6 million to fund the Depot Level Maintenance program, a required maintenance activity to ensure the upkeep of the aircraft's structure through the detection and repair of corrosion damage, as well as the required technology refresh for CBP's P-3 aircraft fleet.

Aircraft sensor electro-optical/infrared (EO/IR) systems provide improved detection and identification capabilities, greater standoff ranges for more covert operation and safety, and have laser range finders, laser target illumination, and shortwave infrared functionality, which enhance mission coordination between airborne and ground agents. These sensors are utilized on multiple AMO platforms to greatly enhance border security and pursue legal action against TCOs through airborne surveillance in coordination with investigative elements. The EO/IR systems allow agents and investigators to view and record criminal activity for prosecution without alerting the suspects to their presence. Most of AMO's EO/IR systems are technologically outdated and have obsolescence issues, which causes maintenance and reliability issues. There are approximately 150 sensors, or upwards of 80 percent, of the total inventory in need of replacement. The FY 2019 Budget includes \$7.8 million to replace up to eight older and obsolete EO/IR systems. Without this upgrade, CBP aircraft will have to share assets, thereby increasing the risk of damage to the sensors during system swap-outs. Included in the \$7.8 million is the associated mission equipment to ensure the continued viability of AMO assets to detect, identify, classify, track, and illuminate targets of interest to national security.

The Budget also includes \$15.0 million in FY 2019 for the conversion of one Army HH-60L to a CBP UH-60 Black Hawk helicopter and to purchase associated initial spare repair parts, training, and Army testing. Black Hawk helicopters are rugged enough to support interdiction and life-saving operations in very hostile environments, at high altitudes in the desert, over open water, and in extreme cold. It has been responsible for the rescue of hundreds left in peril after the recent hurricanes in Texas, Florida, and Puerto Rico. They also provide critical support during national security events.

AMO increases CBP's situational awareness, enhances our detection and interdiction capabilities, and extends our border security zones, offering greater capacity to stop threats prior to reaching the Nation's borders. AMO assets provide multi-domain awareness for our partners across DHS, as well as critical aerial and maritime surveillance, interdiction, and operational assistance to our ground personnel. During FY 2017, AMO contributed to 2,573 arrests and the apprehension of 37,009 individuals, as well as the interdiction of 226,455 pounds of cocaine and 28,764 pounds of marijuana in the transit zone. For FY 2018, as of March 14, 2018, AMO contributed to 903 arrests, 19,547 apprehensions, and interdiction of 82,672 pounds of cocaine and 3,869 pounds of marijuana in the transit zone.

AMO personnel assigned to the Drug Enforcement Administration's Special Operation Division are also coordinating with federal, state and local law enforcement agencies in an effort to identify and dismantle drug trafficking organizations and TCOs involved in the trafficking of illicit fentanyl. AMO agents are also active in the Organized Crime Drug Enforcement Task Force, which targets Chinese-produced controlled precursor chemicals, which are flown directly to Mexico from China or shipped into the United States. AMO is developing targeted maritime and aviation interdiction plans to specifically interdict primary subjects of ongoing criminal investigations, with significant relevance to TCO logistics mechanisms in the Caribbean, South America, the Eastern United States, and Puerto Rico.

### *Hiring, Recruitment, and Retention*

CBP's USBP and AMO agents patrol our Nation's borders, maritime approaches, and associated airspace to prevent illegal entry of people and goods into the United States. The FY 2019 Budget funds an increase of \$164.3 million to hire, train and equip an additional 750 agents from FY 2018 requested levels. The increase will also fund 153 mission support positions across CBP to support the increased workload associated with the additional agents. CBP has struggled in the past to meet our hiring goals but we have taken decisive action, while recognizing that much work remains to be done, to create the hiring mechanisms that will provide a steady state of hiring that meets our needs well into the future. We are making those investments in our capability and capacity to hire across all frontline positions through the organizational initiatives in the FY 2019 request.

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 with metropolitan locations. The FY 2019 Budget includes an additional \$45.1 million to support USBP's operational mobility program. Implementing 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.

### *Facilities and Mobile Tactical Equipment*

CBP's border security mission regularly requires CBP agents and officers to operate in diverse and remote locations where tactical communication, transportation, and surveillance capabilities are essential to coordinating mission activities and protecting the safety of CBP law enforcement personnel. The FY 2019 Budget seeks \$24.8 million to purchase the equipment for USBP, Office of Field Operations (OFO) and AMO Tactical Air Land and Marine Enterprise Communications including supporting radio refresh and coverage, and interoperability efforts for USBP, AMO, and OFO. The request also includes the acquisition of additional mobile radios, portable radios, desksets, consolettes, repeaters, and other hardware. Modern and secure radio and satellite communication technology will provide communication reliability and security for CBP frontline law enforcement and flexibility for agents and officers to communicate with state and local law enforcement agencies as well as with Mexican authorities.

As of February 2018, forty-three percent of CBP's motor vehicle fleet has met or exceeded replacement eligibility. The FY 2019 Budget includes \$81.9 million to provide for the acquisition of vehicles in support of USBP operations. CBP's vehicle lifecycle management process is especially important as vehicles become older and less reliable, while mission demands continue. Reductions in vehicle performance or reliability may place an undue burden on law enforcement personnel executing mission requirements. These investments, to include recapitalizing aging radios and vehicles, will enable agents to respond to and resolve incidents and incursions more efficiently, effectively and safely.

Constructing and improving CBP's physical infrastructure is essential to keeping facilities operationally viable for frontline and mission support functions. CBP supports a vast and diverse real property portfolio, including more than 4,300 owned and leased buildings, over 28 million

square feet of facility space and approximately 4,600 acres of land throughout the United States. The FY 2019 Budget includes \$33.4 million to construct a new 27,000 square foot Border Patrol Station in Freer, Texas, where the current infrastructure is 80 percent over capacity and does not meet security or operational standards. Upon completion, the new facility will enable the USBP to improve its operational effectiveness by increasing capacity, remediating existing safety issues, decreasing travel times to access services at disparate locations, and providing adequate storage and muster capacity to deploy patrols.

### **Travel and Trade Facilitation and Enforcement and Counterterrorism**

At our nation's 328 land, air, and sea POEs, as well as our preclearance and pre-inspection locations around the world, CBP prevents dangerous people and contraband from entering the United States, while facilitating the lawful flow of international trade and travel using a combination of personnel, technology, intelligence, risk information, targeting, and international cooperation. Constructing and improving CBP's physical infrastructure is essential to keeping facilities operationally viable for frontline and mission support functions. The FY 2019 Budget includes \$14.8 million to continue capital construction and modernization of Land POEs (LPOE) along the northern and southern borders and to complete additional enhancement and expansion projects within the OFO portfolio.<sup>2</sup>

The FY 2019 Budget includes \$44.2 million to build upon prior year investments and to recapitalize the current small scale and large-scale Non-Intrusive Inspection (NII) technology fleet. NII technology enables CBP to detect materials that pose significant nuclear and radiological threats. Utilizing Radiation Portal Monitors (RPM), Radiation Isotope Identification Devices, and Personal Radiation Detectors, deployed nationwide at our POEs, CBP is able to scan 100 percent of all truck cargo and personally owned vehicles arriving from Canada and Mexico and nearly 100 percent of all arriving maritime containerized cargo for the presence of radiological or nuclear materials. Since the RPM program began in 2002, CBP has scanned more than 1.41 billion conveyances for radiological contraband.<sup>3</sup>

CBP is also able to utilize radiation detection equipment to scan more than 99 percent of shipments at express consignment carrier (ECC) facilities and shipments presented to CBP at international mail facilities. CBP officers also utilize NII, as well as other tools, to detect illicit drugs, such as fentanyl, at international mail and ECC facilities. All parcels presented to CBP for examination in the express consignment environment are subjected to NII, to include x-ray imaging. Additionally, CBP can then request specific international mail packages be presented for inspection. As USPS is able to present these, CBP X-Rays the packages and physically examines those deemed high-risk.

While most illicit drug smuggling attempts occur at Southwest LPOEs, the smuggling of illicit synthetic drugs in the international mail and ECC environment poses a significant threat. In FY 2017, CBP made 118 seizures of illicit fentanyl totaling approximately 240 lbs. in the ECC environment and 227 seizures totaling approximately 92 lbs. of fentanyl in the international mail

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<sup>2</sup> Alexandria Bay, NY; Lewiston Bridge, NY; San Luis I, AZ; Otay Mesa, CA; Blaine, WA have been identified as priority requirements to be funded from the proposed \$14.8 million.

<sup>3</sup> Effective 01/31/2018



environment. All told, in FY 2017 CBP officers and agents seized or disrupted over 1.9 million lbs. of narcotics across the country, including over 60,000 lbs. of methamphetamine, over 330,000 lbs. of cocaine, and over 4,800 lbs. of heroin, as well as approximately 1,476 lbs. of illicit fentanyl.<sup>4</sup> More than 790 lbs. of illicit fentanyl have already been seized in FY 2018.<sup>5</sup>

Between October 1, 2010 and January 31, 2018, CBP has conducted more than 83 million examinations, resulting in more than 18,500 narcotics seizures and more than \$79 million in currency seizures. The Budget proposes \$44.2 million to build upon prior year investments and to recapitalize the current small scale and large-scale NII technology fleet. This funding will allow CBP to remain on track to ensure the NII fleet is operating within its service life by FY 2024, and will help CBP continue to use NII to safely, quickly, and effectively detect a wide range of contraband imported using a variety of conveyances, thereby facilitating lawful trade and travel.

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. CBP's travel and trade security operations use a risk-based approach, applying rigorous information analysis and targeting to identify the greatest threats and risks. In FY 2017, CBP's National Targeting Center (NTC) vetted more than 370 million travelers through CBP's Pre-Departure vetting initiatives resulting in more than 15,900 individuals prevented from boarding flights prior to travel to the United States. The NTC also vetted more than 474 million shipments arriving at U.S. POEs through CBP's national security vetting initiatives, which resulted in more than 8,600 incoming shipments examined prior to entering the U.S.

The FY 2019 Budget proposes an increase of \$26.9 million for improved intelligence and targeting capabilities at the NTC. This increase will expand staffing through the hiring of 60 CBP officers and 46 mission support personnel, as well as enhance NTC analytical modeling capabilities and provide for additional equipment. The NTC operates 24 hours a day with the mission of collaborating with federal, state, local, and international partners to effectively identify, target, screen, and interdict inbound and outbound passengers and cargo across all international modes of transportation that pose a threat to national security, public safety, agriculture, lawful trade, and safe travel. Effective targeting and interdiction prevents inadmissible high-risk passengers, cargo, and agriculture and bioterrorism threats from reaching U.S. POEs, extending our border security initiatives outward and making our borders not the first line of defense, but one of many. CBP also extends our zone of security beyond our physical borders through bilateral cooperation with other nations, private-sector partnerships, expanded targeting, and advance scrutiny of information on people and goods seeking to enter the country.

In order to unify and streamline the classified vetting of international travelers and visa and immigration benefit applicants, the President signed National Security Presidential Memorandum 9 (NSPM-9)<sup>6</sup> establishing the National Vetting Center (NVC). Consistent with applicable law and policy, the NVC will ensure that traveler and immigration populations are consistently vetted against all appropriate U.S. Government information to identify national security and public safety

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<sup>4</sup> <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics-fy-2017>.

<sup>5</sup> Effective 03/01/2018

<sup>6</sup> Optimizing the Use of Federal Government Information in Support of the National Vetting Enterprise

threats. The NVC will provide frontline officers and agents with the information they need to keep terrorists, criminals, and other bad actors out of the country and from receiving benefits.

CBP recognizes how critical our trade enforcement and facilitation role is in protecting our Nation's economic security. We are working to ensure a fair and competitive trade environment where the benefits of trade compliance exceed the costly consequences of violating U.S. trade law. In FY 2017, we supported domestic producers of products ranging from steel plates to solar panels to crawfish by collecting \$1.5 billion in cash deposits to secure anti-dumping duties on \$13.3 billion of imported goods. The FY 2019 Budget includes an additional \$2.1 million to support 26 positions to support CBP's implementation of the *Trade Facilitation and Trade Enforcement Act of 2015* (TFTEA), one of the most impactful pieces of trade legislation for CBP in more than a generation. TFTEA specifies new trade facilitation and enforcement operational requirements, organizational changes, and new authorities and services. TFTEA includes substantial changes to trade enforcement, particularly in the area of Anti-Dumping and Countervailing Duties; establishes processes for investigating claims of evasion of anti-dumping orders; enables the use of donations of technology from the private sector for enforcing intellectual property rights; and simplifies drawback processing to spur domestic manufacturing and exports.

With the strong support of this Subcommittee, 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 LPOEs 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, while resulting in improved cargo processing and use of enforcement resources. CBP proposes an increase of \$5.5 million in FY 2019 to develop and deploy Post-Core functionality based on user demands and a changing operational environment.

## **Organizational Initiatives**

The FY 2019 President's Budget dedicates \$85 million in critical investments to advance CBP's strategic priorities, which will enable CBP to meet the challenges of tomorrow. For example, the FY 2019 Budget supports a \$6 million increase to CBP weapons maintenance. The nature of the CBP mission is dangerous, and CBP personnel often encounter use-of-force situations. It is vital to the success of the mission that CBP law enforcement personnel are equipped with properly functioning weapons. The inability to provide stringently tested and fully functioning use of force

equipment results in an elevated risk to the personal safety of each officer and agent of CBP, as well as the public.

CBP is currently enhancing our hiring efforts and continuing to expand process improvements and add capacity to frontline hiring by focusing on efforts to attract qualified candidates and expedite their progress through the CBP hiring process. Historically, as with most federal agencies, CBP could rely on a steady-stream of qualified applicants sourced primarily through USAJobs. Like law enforcement across the federal, state and local spectrum, we have seen significant reductions in the number of applicants for employment. We simply need to do a better job of marketing CBP as an employer of choice.

In the last two years, CBP has undertaken a comprehensive effort to look across all of its recruitment and hiring process areas and established process changes that have resulted in significant recruitment and hiring gains. We've embraced the use of social media, and we are working to be more effective in identifying the best return on investment in digital media. We've also introduced a mobile app for applicants in our hiring pipeline to keep them engaged during the process; and, we are going to introduce an "applicant care" component whereby we assign a dedicated employee to an applicant to help them navigate the process. CBP's updated 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 13 percent of each occupation on-boarding within 160 days, a significant improvement from the 469-day overall baseline established in January of 2016. This streamlined process is reducing the number of otherwise qualified candidates who drop out due to process fatigue or accepting more timely job offers elsewhere, helping us grow our workforce.

As a result of these improvements, CBP's FY 2017 hiring totals surpassed FY 2016 totals by fourteen percent, including increases of twenty-one percent for CBP officers; four percent for USBP agents, and ninety-one 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 seventy-three percent between FY 2015 and FY 2017, including a forty-two percent increase from FY 2016 to FY 2017.

As we continue to build momentum in our hiring efforts, the Budget includes an increase of \$46.2 million for recruitment and applicant processing transformation. This funding will ensure that CBP has the necessary applicant processing bandwidth needed to meet hiring goals and recover FY 2019 attrition losses without having to slow down applicant processing. Additionally, this funding will support enhanced data analytics to understand return on investment, identify trends within applicant pools, and present data-driven information for key decision-making. These capabilities will enable CBP to reduce costs, improve efficiency, decrease time-to-hire, and ultimately deploy more agents and officers to the frontline.

CBP is thankful for the continued dedication of Members of Congress to working collaboratively with CBP to come up with 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 measure data points from applicants tested with

the 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 to either 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 ensure ongoing communication with Congress on this area of interest. While the exam is a change in format, it retains all of the critical test topics of the previous exam and maintains CBP's commitment to high integrity standards for its personnel.

Additionally, CBP and DHS support the "Anti-Border Corruption Reauthorization Act of 2017," which was introduced as H.R. 2213 in the House and S. 595 in the Senate. The House passed H.R. 2213 on June 7, 2017, and the bill is currently pending vote by the Senate. This pending legislation grants the CBP Commissioner authority to waive the polygraph for three groups of applicants who have a demonstrated history of longstanding 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.

The FY 2019 Budget also includes an increase of \$10.2 million to replace IT equipment nearing or past the end of its useful life. Currently more than 40,000 of the approximate 62,000 end-user workstations are not capable of being upgraded to Windows 10, which is the minimum required to run the cyber monitoring tools that need to be deployed to support the agency-wide adoption of the Continuous Diagnostics and Mitigation program. The FY 2019 Budget supports the upgrade and replacement for a portion of CBP's aged infrastructure that has reached the end of its lifecycle. Technology refresh is critical to protect CBP from security vulnerabilities through on-going updated patching, and will ensure the network is resilient enough to avoid frequent failure rates typically experienced by aged infrastructure.

### **Legislative Proposals**

Finally, as in the past, the FY 2019 Budget highlights some of the legislative priorities CBP hopes to achieve with the help of Congress. The legislative proposals submitted by the Department seek to reduce CBP's reliance on appropriated funding while facilitating the growth of international trade and travel. The Department has submitted a legislative proposal to redirect approximately \$160 million in Electronic System for Travel Authorization (ESTA) surcharge collections from Brand USA to CBP. Of the \$160 million, \$155 million would be available to CBP to offset the operational costs of CBP officers performing passenger targeting, screening, and processing. The remaining \$5 million would be transferred to the International Trade Administration to administer the Survey of International Air Travelers (SIAT). The Brand USA funding would not constitute an overall increase to CBP's budget, but rather offsets a commensurate decrease in CBP's Operations and Support discretionary appropriation.

The Department has also submitted a legislative proposal to create an \$8 Electronic Visa Update System (EVUS) user fee based on a fee analysis that would function similarly to the ESTA operational processing fee. EVUS is currently funded by taxpayers; once the authorizing proposal is enacted, CBP will no longer require appropriated funding to support the EVUS program.

The Department has also provided a legislative proposal to decrease the shortfall between the costs of CBP's inspectional activities and the collections received. Per the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), passenger inspection fee collections fund customs inspection activities that are mandated by law. The fee levels set in current law do not fully cover CBP's costs. The proposal will increase the customs inspection fees on passengers arriving on international commercial aircraft flights to \$7.75 from \$5.65 (which was raised by regulatory action from the statutory level of \$5.00), and increase other COBRA fees by a proportional amount. The extra revenue raised from these fee increases will allow CBP to recover more costs associated with customs-related inspections. CBP's funding strategies also include seeking Congressional support for a legislative proposal to increase current Immigration Inspection User Fees to recover more of the costs associated with providing immigration inspection services. CBP looks forward to working with your colleagues in the appropriate committees of jurisdiction to accomplish these legislative priorities.

## **Conclusion**

In closing, the challenges facing CBP and our Nation are considerable, but we have outstanding men and women working at CBP who are committed to protecting our Homeland and the American people. The FY 2019 President's Budget recognizes the serious and evolving threats and dangers our Nation faces each day. With the support of Congress, CBP continues to secure our Nation's borders, and promote international trade and travel, through a multi-layered approach using a variety of tools.

I want to thank the Members of this Subcommittee for your continued strong support of CBP. Thank you for the opportunity to appear before you today. I look forward to your questions.