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Before  
The Senate Homeland Security and Governmental Affairs Committee  
Regarding  
“Northern Border Security”

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Good morning Senator Tester, we are pleased to be here today to discuss how the Department of Homeland Security (DHS), particularly U.S. Customs and Border Protection (CBP), is building a more secure and efficient border, while continuing to facilitate the flow of legitimate trade and travel.

We would like to begin by expressing our thanks to the men and women of CBP who work on the front lines every day, protecting this Nation. Since its creation in 2003, CBP has made significant progress in effectively securing our borders and protecting our country against terrorist threats. Sometimes, we forget to recognize the efforts of these officers and agents on the frontlines and everything they have accomplished.

The creation of CBP, which established a single, unified border agency for the United States, is a profound achievement, and our responsibilities are immense and challenging. CBP is

responsible for protecting more than 5,000 miles of border with Canada and 1,900 miles of border with Mexico, and operating 326 ports of entry. Each day, CBP inspects more than 1.1 million travelers, including 304,000 cars and over 82,000 shipments of goods approved for entry; processes more than 70,000 truck, rail and sea containers; collects more than \$88 million in fees, duties, and tariffs; seizes more than 7,300 pounds in illegal narcotics at and between the ports of entry; and seizes nearly 4,300 prohibited meat and plant items at ports of entry. CBP also intercepts over 80 fraudulent documents a day and refuses entry to almost 850 inadmissible aliens at the ports of entry and apprehends 395 criminal aliens between the ports of entry. Each day we deploy 1,173 canine enforcement teams, 10,029 vehicles, 270 aircraft, 180 watercraft, and 188 equestrian patrols.

CBP is keenly aware of its responsibility to remain ever vigilant in protecting the homeland. We understand that the threat is ever present and the risks ever changing. For this reason, we continually seek better and smarter means to ensure the security of our border, by enhancing all areas of our operations including technology, document security, infrastructure, inspectional processes, workforce, and training of our officers and agents.

From a strategic and operational standpoint, CBP has significantly increased our ability to execute our anti-terrorism and traditional missions at our Nation's borders more effectively than ever before, thereby enhancing the security of the United States, its citizens, and the economy. For example, the Secure Border Initiative (SBI) is a broad, multi-year program which integrates the correct mix of increased staffing, greater investment in detection technology and infrastructure, and enhanced coordination. We continue to perform our traditional missions, including apprehending individuals attempting to enter the United States illegally; stemming the flow of illegal drugs and other contraband; protecting our agricultural and economic interests

from harmful pests and diseases; protecting American businesses from theft of their intellectual property; regulating and facilitating international trade; collecting import duties; and enforcing United States trade laws, all while executing our crucial mission of preventing terrorists and terrorist weapons from entering the United States.

We are here before you today to discuss how CBP is creating a more secure border—executing our priority mission of preventing the entry of terrorists and terrorist weapons—while efficiently balancing facilitation of legitimate trade and travel. We will outline for you today CBP’s advancements over the past four years, and the challenges we face everyday.

### **U.S. Border Patrol**

The U.S. Border Patrol is charged with the protection of the border between established ports of entry and is guided by its National Strategy, which seeks nothing less than effective control of the Border. With the proper mix of manpower, infrastructure, and technology, the Border Patrol is dedicated to achieving this goal.

The National Strategy consists of five objectives: establish substantial probability of apprehending terrorists attempting to illegally enter between ports of entry; deter illegal entries through improved enforcement; detect, apprehend, and deter smugglers of humans, drugs and other contraband; leverage “Smart Border” technology to multiply the effect of enforcement personnel; and reduce crime in border communities and consequently improve quality of life and economic vitality of targeted areas.

In the past, agents had to rely on skills such as tracking and sign cutting, the ancient art of following footprints to locate people who had surreptitiously and illegally entered the United States. Over time the Border Patrol continued to hone these skills and incorporated new methodologies to aid them in their charge. Support from CBP Air and Marine assets and

personnel has been and continues to be essential to its mission. The Border Patrol depends on a 'defense in depth' posture. Agents are forward-deployed to the border, actively patrolling and deterring cross-border activity. They also engage in targeted, intelligence-driven enforcement operations at primary and secondary transit nodes, such as bus stations, ferry terminals, and train stations, performing immigration checks. Additionally, immigration checkpoints are operated along egress routes from the border area denying further entry into the country for those illegally in the United States.

From an initial force of only a few Patrol Inspectors in El Paso, Texas, the Border Patrol has grown to over 16,000 Border Patrol Agents, stationed along this Nation's southern, northern, and coastal borders. There are 20 Border Patrol Sectors nationwide and, along the northern border, there are eight Border Patrol sectors encompassing 12 states that stretch from the Pacific Ocean, across the Rocky Mountains, Great Plains, the Great Lakes, and to the Atlantic Ocean. Currently, there are nearly 1,200 agents on the northern border, a tremendous increase from 2001, where the northern border was staffed with only 340 Border Patrol agents. The current northern border staffing plan calls for 2,212 Border Patrol agents by the end of 2010.

The proper balance in the deployment of personnel, equipment, intelligence, support, technology, and infrastructure is critical. This increase in staffing will result in 24/7 operational capabilities at all northern border stations; 24/7 intelligence capabilities at all northern border sectors; expanded liaison and partnership capabilities with stakeholder law enforcement agents; and enhanced situation awareness on the northern border.

The Border Patrol continues to improve on the quality and caliber of our agents. The codified nature of our training and work ethic is essential and is a principle for our operations. Every agent - from upper management to the new agent on the line - has had or will have similar

experiences, leading to a unified workforce, nationwide. On face value, this may seem trivial; in reality, it is essential for the integrity of our organization. By having a workforce equally trained and similarly experienced, the Border Patrol will retain the necessary elements for National emergency call-outs and deployments. This was seen in the unified efforts with the deployment of Border Patrol agents to the relief efforts following the tornados in 2007, Hurricane Katrina in 2005, the terrorist attacks in 2001, the Olympic bombings in 1996, the Krome riots in the 1980s, and the civil unrest of the 1960s.

As part of our National Strategy, the Border Patrol embraces strategic partnerships and participation in collaborative enforcement initiatives that are intelligence-driven. A key component of our efforts on the northern border is partnership efforts among law enforcement entities. The Border Patrol conducts operations with support from military units provided by Joint Task Force – North (JTF-N); continues to pilot maritime technology projects incorporating ground-based radar and proof of concept multi-sensor systems; and continues to strengthen its liaison relationship with our Canadian partners through Project North Star and the Integrated Border Enforcement Teams (IBET). The Border Patrol has also evaluated the level of border security through the Border Security Evaluation Team, (BSET), to gather intelligence with state and local law enforcement agencies. The findings are used by the sectors to establish baseline security levels and assist in identifying resource requirements.

The Border Patrol has continued to strengthen its partnerships with Canadian law enforcement and intelligence officials, and with officials from other Federal, State, local, and tribal organizations by leveraging information and increasing communication and cooperation. The Border Patrol continues to advance its priority mission to the maximum extent possible by

responding to requests for assistance from other Federal, State, local and tribal law enforcement agencies away from the border.

The Border Patrol also recognizes that coordinated border enforcement management is not a unilateral approach and seizes the opportunity to advance its mission through strategic partnerships and coordinated enforcement operations. These partnerships form relationships that serve as valuable force multipliers, promote public safety and provide crucial sharing of information for the mutual benefit of future operations. The Border Patrol routinely responds to other agency calls for assistance and appreciates other law enforcement agency referrals when, during the course of their duties, suspected illegal aliens are encountered.

The Border Patrol has also taken measures to improve communication and data infrastructure to support sensor detection, identification, and response to cross-border incursions. Sensors and cameras are being tested that are appropriate to the terrain and inclement weather conditions faced on the northern border. Additional unattended ground sensors (UGS) will be deployed and existing UGS will be upgraded and strategically deployed along the northern border in fiscal year 2008. Three ground surveillance radars (GSR) will be deployed along the northern border, and improved mobile infra-red detection capability is being deployed to every northern border sector.

The Border Patrol uses a combination of efforts in performing its border security mission. The Border Patrol depends on a 'defense in depth' posture, utilizing agents in the field, interior immigration checkpoints, and coordinated enforcement operations, as well as partnerships with other federal and state law enforcement agencies. To date this strategy is working; the northern border has acquired and deployed a working mix of personnel, equipment, and technology, and

as a result has seen a reduction of apprehensions from 12,108 in fiscal year 2000 to 6,380 in 2007, a 47 percent decrease.

### **Office of Field Operations**

CBP welcomes more than 400 million travelers into the United States annually. While security will always be CBP's primary mission – and key to maintaining travelers' confidence – we strive to make the process of entering the U.S. more streamlined, user-friendly and understandable.

Border security is the cornerstone of national security, and if we are to protect our homeland from those who mean us harm, we must use all the tools at our disposal. These tools include the use of smart technology and improved document security, which will make our ports more secure and our inspectional processes more robust and efficient.

DHS, in partnership with the Department of State (DOS), is working to secure our homeland by strengthening our ability to identify accurately all travelers – U.S. citizens and potential visitors alike – before they enter the United States. We are accomplishing this through instituting secure documentation requirements for entry into the United States. Our approach to implementing the Western Hemisphere Travel Initiative (WHTI), which implements both a statutory mandate and 9/11 Commission recommendation, will increase security while also facilitating trade and the flow of legitimate travelers.

Exploiting vulnerabilities to gain entry to our nation is critical for any terrorist to plan and carry out attacks on our homeland. As the 9/11 Commission's Final Report states, "For terrorists, travel documents are as important as weapons. Terrorists must travel clandestinely to meet, train, plan, case targets, and gain access to attack. To them, international travel presents

great danger, because they must surface to pass through regulated channels to present themselves to border security officials, or attempt to circumvent inspection points.”

Our layered security strategy involves identifying and interdicting terrorists as early as possible – if not before they enter our country, then at the port of entry. As populations increasingly mix and extremists recruit native-born youth and converts, travel documents become even more critical in identifying terrorists. Travel documents and travel patterns can provide our CBP officers at the border with terrorists indicators – sometimes the only advance indicator the government will receive.

DHS must be able to capitalize on our border inspection process. We must be able to verify the identity and citizenship of those who seek to enter the United States. Through its requirement that individuals carry secure documents, WHTI will greatly reduce the opportunities for fraud or misrepresentation of one’s true identity. Advanced technology embedded in new travel documents, with the appropriate privacy protections and infrastructure, will allow DHS the ability, for the first time, to verify an individual’s identity even before our officers begin to question them and to perform real-time queries against lookout databases. Full implementation of WHTI will allow CBP officers to focus even greater time and attention on each individual traveler.

Also, under the auspices of WHTI, new facilitative technology will be implemented to assist in the efficient flow of legitimate travel. CBP is in the process of installing infrastructure and technology required to read travel documents in vehicle primary lanes at land borders at the 39 highest-volume ports, which combined process 95 percent of travelers entering the United States through our land borders. This technology provides significant advantages for our officers, while providing a clear benefit for the traveler: Certain documents can be read as the



vehicle queues for inspection at the primary booth. In seconds, the system displays the traveler's biographic information, photo, and the results of checks against the terrorist watch list, National Crime Information Center (NCIC) database, and various law enforcement databases to the CBP Officers. This enables CBP to enforce more than 400 laws from 40 different federal agencies, without impeding traffic flow. The CBP Officer can look at the results quickly and focus on the individuals in the vehicle – better for officer safety and faster, more effective processing.

CBP has used facilitative technology successfully in operations along our land border with Canada and Mexico since 1995. Through our Trusted Traveler Programs, such as NEXUS, Secure Electronic Network for Traveler Rapid Inspection (SENTRI) and Free And Secure Trade (FAST), CBP Officers are able to expedite legitimate cross-border travel and trade. Membership in these programs currently exceeds 464,000, with 94,000 FAST participants, 168,000 SENTRI participants, and 202,000 NEXUS participants. The total land border Trusted Traveler crossings now exceed 9 percent, facilitating the inspection of a substantial number of travelers each day and allowing CBP officers to better focus on higher risk travelers. We expect to more than double the number of participants by the end of fiscal year 2009. CBP expects to open five additional NEXUS enrollment centers in Sweetgrass, Montana; International Falls, Minnesota; Niagara Falls and Alexandria Bay, New York; and Calais, Maine by the end of calendar year 2008. To increase traveler awareness of NEXUS, we are investing in mobile enrollment centers that will give us the flexibility to enroll travelers in remote parts of Alaska, Washington, Montana, and Minnesota.

For frequent crossers, the ability to use dedicated NEXUS or SENTRI lanes at the border for expedited processing is a very clear benefit sought by the traveling public—the processing time for border crossers presenting trusted traveler cards is often less than half that for other

travelers. This year, trusted traveler cards are being upgraded to make them WHTI-compliant and will include additional security features to make them more tamper-resistant. We are phasing in replacement of the cards; all SENTRI cards will be replaced by the fall, at which time replacement of NEXUS cards will begin. These documents will include upgraded vicinity Radio Frequency Identification (RFID) technology that will allow them to be verified electronically against secure DHS databases.

DHS has entered into memoranda of agreement with the states of Washington, Vermont, Arizona, and New York to develop and produce WHTI-compliant enhanced drivers license (EDL), which will be acceptable travel documents at all land and sea ports of entry. Traveler demand for the EDLs has exceeded expectations in Washington State. As of June 23, 2008, Washington State has issued more than 18,561 EDLs. The Canadian province of British Columbia began issuing EDLs to Canadian citizens in April of 2008, and we expect Ontario and Quebec to follow by the end of the year. We continue to work with the other states. CBP has had extensive talks with Montana regarding EDLs and will continue to work with the state to come up with a solution for all parties involved. We believe with the success of EDLs other states may also wish to produce the documents for the convenience and benefits they offer to their residents.

CBP has long recognized the need to improve our facilities and infrastructure to more effectively meet mission requirements. Modern facilities must address our dramatically changing border functions, increasing traffic volumes and staffing levels, and new and updated technologies and equipment. To that end, CBP has implemented a facility investment planning process, and capital improvement plan for land border ports of entry. This process ensures that facility and real property funding is allocated in a systematic and objective manner, and is prioritized by mission critical needs.

While CBP operates 163 land border facilities along the northern and southwest borders, CBP owns only 27 percent of these facilities. The U.S. General Services Administration (GSA) owns 58 percent, and leases the remaining 15 percent from private, state, or municipal entities. The average age of our facilities is 42-years-old and are in need of modernization or expansion, as they were not designed for our current operations. CBP has the vital mission of preventing terrorists and terrorist weapons from entering the United States, while continuing to facilitate the flow of legitimate trade and travel. These heightened responsibilities are stretching our physical resources beyond what they were designed to handle. The vast majority of these facilities were not built to incorporate all of the enhanced security features that are now present at our ports of entry, including Non-Intrusive Inspection technology (Radiation Portal Monitors, Vehicle and Cargo Inspection System, X-rays) and License Plate Readers.

Over \$100 million has been appropriated for Fiscal Year 2008 for construction on the northern border, with specific portions allocated for ports of entry in Warroad, Minnesota; Derby Line, Vermont; Madawaska, Maine; and Alexandria Bay, New York.

Technologies deployed to our nation's sea, air, and land border ports of entry include non-intrusive imaging equipment, such as large-scale X-ray and gamma-imaging systems, as well as a variety of portable and hand-held technologies to include radiation detection technology. NII technologies play a key role in CBP's layered strategy and are viewed as force multipliers that enable us to screen or examine a larger portion of the stream of commercial traffic quickly, while facilitating the flow of legitimate trade, cargo, and passengers. An integral part of CBP's comprehensive strategy to combat nuclear and radiological terrorism is to scan all arriving sea containers with radiation detection equipment prior to release at domestic ports. Currently, CBP has 398 Radiation Portal Monitors (RPM) deployed at priority seaports in the

United States, through which approximately 98% of all arriving sea-borne containerized cargo passes. CBP is forecasting the deployment of 93 additional seaport RPMs by the end of FY 2009.

Additionally, we currently have 246 RPMs on the northern border, which provide CBP with the capability to scan 91 percent of truck cargo and 81 percent of personal owned vehicles (POVs) for illicit radiological/nuclear materials. CBP is also planning for the deployment of an additional 337 northern border RPMs. This will give CBP the capability to scan approximately 100 percent of truck cargo and 100 percent of personal vehicles for illicit radiological/nuclear materials with RPMs. CBP will also increase the southwest border RPM deployments (currently scanning 100 percent of all truck cargo and 95 percent of POVs). By the end of FY 2009, CBP plans to deploy 51 additional southwest border RPMs - providing CBP with the capability to scan approximately 100 percent of POVs.

### **Office of Air and Marine**

CBP Air and Marine has developed a plan to increase security along the northern border through the accelerated start-up of operations at five air locations and eight marine locations. Since 2004, CBP Air and Marine has redeployed or purchased 28 aircraft and 16 interceptor class marine vessels for permanent assignment to the northern border. By late summer of 2008, Air and Marine will have established the following five air wings on the northern border: Bellingham, Washington; Plattsburgh, New York; Great Falls, Montana; Grand Forks, North Dakota and Detroit, Michigan. In addition, the North Dakota Air Branch in Grand Forks was chosen to provide a strategic, centrally-located air branch at the northern border that will have an expanded role with Unmanned Aircraft Systems (UAS) operations beginning this summer.

CBP Air and Marine has also expanded its presence in the lakes and waterways along the northern border. In 2004, the Bellingham Marine Unit was established and was later joined by the opening of the Buffalo and Detroit Marine Units in 2007. In 2008 & 2009, an additional six Marine Units will open in the Rochester, Erie, Sandusky, Port Huron, Ste Sault Marie, and Port Angeles areas. Each of these are to be staffed by Marine Interdiction Agents, deploying in fast, intercept vessels, capable of forcibly stopping non-compliant vessels attempting illegal entry into the United States.

The Air and Marine Operations Center (AMOC) in Riverside, CA monitors 450 DoD and FAA radar feeds from throughout the United States, including the northern border. The AMOC communicates directly with the Canadian National Operations Center and is working to increase our radar coverage along the northern border

CBP's expansion of air operations along the northern border will enhance cooperation between Canadian and American law enforcement organizations in their joint efforts to combat all illegal cross border activity. Additionally, CBP Air and Marine maintains a close working relationship with the Royal Canadian Mounted Police and has participated in a variety of joint operations.

## **Closing**

CBP's frontline officers and agents will continue to protect America from the terrorist threat, while also accomplishing our traditional missions in immigration, customs, and agriculture, all while balancing our enforcement missions with the need to effectively facilitate the flow of legitimate trade and travel. There is not an easy solution when it comes to border security and each day, the men and women of CBP enforce our laws and protect the Nation with the utmost vigilance, honor and integrity. CBP will continue to explore new technologies and

reassess its operational needs to appropriately address the vulnerability gaps. The northern border is a dynamic and unique environment and CBP strives to meet the challenges of securing it today, as well as tomorrow.

We appreciate this opportunity to testify before you and would be happy to answer any questions that you may have.