



TESTIMONY OF

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ON

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Introduction

Chairman Hoeven, Ranking Member Shaheen, 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 against terrorist threats and prevents the illegal entry of inadmissible persons and contraband, while facilitating lawful travel and trade. CBP works tirelessly to deter illicit trafficking in people, drugs, illegal weapons, and money, while promoting the flow of cross-border commerce and tourism. CBP achieves its complex mission using a combination of talented and dedicated personnel, intelligence-driven and risk-based strategies, advanced technology, and collaborative partnerships.

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 have advanced CBP's situational awareness of the border environment, and who continue to meet these challenges with integrity and commitment.

Last year the Commissioner announced the *CBP Vision and Strategy 2020*, CBP's first comprehensive strategic plan for our agency in nearly a decade. The plan acknowledges the complexity of the CBP mission in an increasingly global border environment and provides a roadmap for the way forward by focusing efforts on collaboration, innovation, and integration in meeting our mission goals to:

- combat terrorism and transnational crime;
- advance comprehensive border security and border management;
- enhance U.S. economic competitiveness by enabling trade and travel; and
- promote organizational integration, innovation, and agility.

The last mission goal listed above – promote organizational integration, innovation, and agility – applies throughout the broad scope of CBP's mission, programs, and operations. To this end, we have made multiple changes and much progress in the last year as we restructure our fiscal, operational, and institutional management to better align our resources with our missions.

We have been a key participant in Secretary Johnson's Unity of Effort initiative, which aims to change the way the Department of Homeland Security (DHS) makes decisions within the Department and conducts operations. As part of this initiative, CBP is the sponsoring component for DHS Joint Task Force (JTF)-West and a participating component in JTF-East and JTF-Investigations. The JTFs, launched by DHS in early 2015, are strategically guided by the Southern Border and Approaches Campaign Plan, which enhances the Department's operational approach to addressing comprehensive threat environments in a unified, integrated way. CBP has also been an active participant in the Joint Requirements Council. The Council consists of senior leaders from DHS components, and is organized in order to identify and recommend investments to maximize efficiency and enhance mission capabilities.

To promote organizational efficiencies within CBP, last fall the Commissioner announced that CBP would be realigning the agency's headquarters structure to better support our personnel in fulfilling CBP's critical mission. We look forward to working with this Subcommittee on these changes, which will emphasize delegation of authority, more defined and accountable decision-making, and improved span of control for management. While CBP's operational offices – Office of Field Operations (OFO), U.S. Border Patrol (USBP), Air and Marine Operations (AMO), and

the Office of International Trade (OT) – will remain as they are today, the new structure will identify and address our most critical infrastructure and support issues and challenges. We will measure the success of this effort by our ability to support the front lines—our ability to identify requirements and acquire solutions, to hire personnel, and to manage resources effectively. CBP’s realignment will allow us to streamline process flows and create efficiencies for the agency.

The dedicated men and women of CBP are truly our greatest resource and I am pleased to share with you some of our progress in addressing frontline recruitment and hiring challenges. We’ve recently established a National Frontline and Hiring Program Management Office to implement specific actions that address frontline challenges. This includes a National Frontline Recruitment Command (NFRC), comprised of uniformed agents and officers as well as Human Resources Management (HRM) personnel to provide support and expertise to OFO, USBP, and AMO field recruitment offices. We have started traditional and military hiring hub pilots to expedite groups of applicants through the hiring process by compressing multiple process steps in one location over the course of two days. The hiring hub pilots are demonstrating a time reduction of over 60 percent by consolidating the interview, polygraph, and provisional clearance adjudication steps. We have also enhanced our engagement with the Department of Defense (DoD) to increase our efforts to hire transitioning service members and veterans. Recruitment and hiring process improvements, such as opening multiple job opportunity announcements for vacancies, have proven to be effective in increasing the number of applications received for CBP frontline positions. In FY 2015, CBP’s recruitment efforts resulted in over 100,000 new applicants for frontline positions. We also made several improvements to our processes that have reduced our time-to-hire. For example, in FY 2015, we added additional nurses and streamlined the medical forms to reduce the pre-employment medical processing time by an average of 43 days. These initiatives focus on making the hiring process more efficient and effective by streamlining the process and ensuring CBP attracts the talented and diverse workforce required to accomplish our mission now and in the future.

We also recognize the importance of retaining our law enforcement personnel. Over the last year, we have made significant progress in compensation reform with Congress’ passage of the *Border Patrol Agent Pay Reform Act of 2014* (Pub. L. 113-227), which provides stability to agent pay. The new Border Patrol overtime system was implemented in January 2016, as required by the law. Additionally, we are pursuing legislative changes to Law Enforcement Availability Pay (LEAP) for our Air and Marine interdiction agents to ensure equitable compensation for all of AMO law enforcement personnel.

In moving forward with these important initiatives, as with all of CBP’s daily activities, the American people place enormous trust and confidence in CBP to keep them safe. To ensure this trust, the Commissioner and I are committed to the highest levels of transparency and accountability in all our programs, activities, and operations.

Today, I will discuss how CBP is using the resources provided by Congress efficiently and effectively, and demonstrate how the President’s Fiscal Year (FY) 2017 Budget Request supports CBP’s continued commitment to keeping terrorists and their weapons out of the United States, securing the border, and facilitating lawful international trade and travel. The FY 2017 Budget Request commits resources to maintain the right balance of people, technology, and infrastructure in each of our mission areas.

Securing America's Borders

Along the over 5,000 miles of border with Canada, 1,900 miles of border with Mexico, and approximately 95,000 miles of shoreline, CBP is responsible for preventing the illegal movement of people and contraband at and in between the Ports of Entry (POEs). CBP's Border Patrol and Air and Marine agents patrol our Nation's borders and associated airspace and maritime approaches to prevent illegal entry of people and goods into the United States. CBP officers (CBPOs) 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.

Thanks to this Subcommittee's support, the Nation's long-term investment in border security has produced significant and positive results in FY 2015. Border Patrol apprehensions – which are an indicator of total attempts to cross the border illegally - totaled 337,117 nationwide in FY 2015, compared to 486,651 in FY 2014. This represents a 30 percent decline in the last year and almost 80 percent below its most recent peak in FY 2000. However, this is not the only way we are quantifying an overall decline in illegal entries. CBP is supporting a DHS-wide effort to develop outcome-based border security metrics, which will help us improve management of operations and investment decisions. CBP officers and agents also played a critical counter-narcotics role, resulting in the seizure or disruption of more than 3.3 million pounds of narcotics in FY 2015. In addition, the agency seized more than \$129 million in unreported currency through targeted enforcement operations.

CBP secures our borders through the coordinated use of integrated assets to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illegal drugs, and contraband toward or across the borders of the United States. CBP continues to implement intelligence-driven strategies focused on areas of greatest risk. CBP deploys its capabilities to align with threats along the border and adapt to threats as they change.

Response to Unaccompanied Children

During FY 2014, the U.S. Government experienced an unprecedented increase in the number of unaccompanied children (UC) crossing the Southwest border, compared to previous years. The surge created a resource challenge for CBP and other Federal partners responsible for responding to the urgent humanitarian situation. For FY 2016, through January 31, 2016, USBP has apprehended over 20,000 UC crossing the Southwest border, compared to approximately 10,000 UC apprehensions during the same time period in FY 2015.

Although the numbers have recently declined, UC flows are fluctuating and CBP anticipates seasonal increases throughout FY 2016 and into FY 2017. For FY 2017, CBP requests resources to support a revised baseline of 75,000 UC apprehensions as well as a contingency fund should arrivals exceed prior year levels. This program increase will allow CBP personnel to continue focusing on border strategies and provide for the health and safety of higher volumes of UC crossing the Southwest border. Working closely with our DHS and Department of Health and Human Services (HHS) partners, CBP continues to ensure the safe detection, care, and transfer of this unique and vulnerable population in accordance with the *William Wilberforce Trafficking Victims Protection Reauthorization Act* (Pub. L. No. 110-457) and other legal obligations.

Investments in Mobile Tactical Equipment

CBP's border security mission regularly requires 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 agents and officers. For agents and officers operating in remote areas, their radio is often their only means of communication to coordinate activities or request assistance. For the USBP, radios are the single most essential piece of equipment for frontline agents – an agent may not deploy to the field without a functioning radio.

CBP operates and maintains a tactical radio inventory of over 70,000 personal and vehicle units. However, because some of CBP's radios were purchased as far back as 1992, the manufacturers no longer make parts and many do not have adequate security voice encryption. CBP's Budget Request seeks \$54.6 million for the acquisition of modern and secure radio and satellite communication technology that would 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 Mexican authorities.

Vehicles are another essential tool for frontline agent operations and safety. By 2017, over half of the USBP vehicle fleet will be at least five years old.¹ Recapitalizing the fleet will not only help agents operate in remote and rugged locations by improving reliability and safety, but it will save on maintenance and fuel costs. CBP requests a total of \$60.3 million to maintain and operate the Border Patrol fleet, which would replace 1,599 vehicles, or approximately 10 percent of the USBP vehicle fleet.

CBP's frontline personnel are, and will continue to be, our greatest resource in our mission to secure our Nation's borders. The budget requests authority to achieve an onboard Border Patrol agent target of 21,070 agents in FY 2017. This target reflects realistic agent hiring expectations for FY 2017 and will allow CBP to invest in critical mission readiness tactical equipment for existing frontline agents and officers. 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.

Technology Investments between Ports of Entry

The FY 2017 Budget Request will also enable the continued deployment of proven, effective technology to strengthen border security operations between the ports – in the land, air, and maritime environments. With the deployment of fixed and mobile surveillance capabilities, CBP can gain situational awareness remotely, direct a response team to the best interdiction location, and warn them of any additional danger otherwise unknown along the way. Technology investments are critical to CBP's risk-based operational strategy. Thanks to this Subcommittee's support of CBP's technology investments, CBP gains greater situational awareness, can determine activity levels along the borders, monitor evolving threat patterns, and strategically deploy assets.

CBP's Tactical Aerostats and Re-locatable Towers program, originally part of the Department of Defense (DoD) Re-use program, uses a mix of aerostats, towers, cameras, and radars to provide USBP with advanced surveillance capability over a wide area. This capability has proven to be a vital asset in increasing CBP's ability to detect, identify, classify, and track illegal activity. As of

¹ The General Services Administration recommended vehicle replacement standard is five years.

December 2015, USBP agents, with the assistance of existing aerostats and re-locatable towers, seized 122 tons of narcotics, and caught over 50,000 illegal border crossers detected in aerostat locations. CBP's Budget Request includes a total of \$33.5 million, which includes an increase of \$25.7 million above the Tactical Aerostats baseline of \$7.8 million to fund continued operations and maintenance costs for this capability, which significantly enhances USBP situational awareness in the operational environment.

Another proven border security technology, Integrated Fixed Towers (IFT) assists USBP agents in detecting, tracking, identifying, and classifying items of interest along our Nation's borders through a series of fixed surveillance towers and equipment that display information on workstations in command and control centers. Thanks to the support of this Subcommittee, the *Consolidated Appropriations Act of 2016* (Pub. L. No. 114-113) provided development and deployment funding to begin expanding IFT coverage beyond the Nogales Area of Responsibility to the Douglas and Sonoita Areas of Responsibility. CBP's FY 2017 Budget Request includes a total of \$52.1 million to support the replacement of Block 1 systems with IFT in the Tucson/Casa Grande and Ajo Areas of Responsibility along the U.S. border with Arizona. Replacing Block 1 with IFT will increase USBP's situational awareness of cross-border activity, replace obsolete technology, decrease operations and maintenance costs, and mitigate the concurrent operation of numerous systems.

Investments in Air and Marine Capabilities

CBP's comprehensive border security operations include the use of coordinated and integrated air and marine capabilities to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illegal drugs, and other contraband toward or across the borders of the United States. During FY 2015, CBP's Air and Marine Operations contributed to 4,485 arrests and the apprehension of 51,130 individuals, as well as the interdiction of 213,000 pounds of cocaine in the transit zone.

CBP's layered approach to border security relies on a variety of resources, including fixed wing, rotary, and unmanned aircraft systems in the air domain, and patrol and interdiction vessels in the maritime environment. These assets provide critical aerial and maritime surveillance, interdiction, and operational assistance to our ground personnel and multi-domain awareness for the Department of Homeland Security.

CBP's FY 2017 Budget Request seeks \$14.8 million to support the UH-60 Black Hawk helicopter procurement program that takes a more cost-efficient approach to recapitalization, using the Army's hospital variant of the UH-60L. Black Hawks are critical to border security operations, being the only helicopters that are capable of carrying eight agents with full gear and are rugged enough to support interdiction and life-saving operations in diverse and harsh environments — including those at high altitudes in the desert, over open water, and in extreme cold — and in dangerous situations.

The King Air (KA)-350CER Multi-role Enforcement Aircraft (MEA) is another highly capable and adaptable air asset in CBP's fleet of tactical aircraft. CBP's FY 2017 Budget Request includes \$51.0 million to procure two MEA. Unlike older single-mission assets, these aircraft provide increased flight endurance, marine search radar, an infrared camera system, and a satellite communications system contributing to apprehensions and seizures along the border from both the land and sea. Among other benefits, this aircraft allows CBP to respond to go-fast vessels that are

attempting to reach the southern coast of California and deposit bulk cocaine for distribution inland.

As we continue to deploy border surveillance technology and other operational assets, particularly along the Southwest border, the Subcommittee's support of these investments allows CBP the flexibility to shift more officers and agents from detection duties to interdiction of illegal activities on our borders. The FY 2017 budget supports CBP's border security mission by increasing and enhancing border security technology including mobile assets, air and marine capabilities, and initiatives to increase efficiency and effectiveness.

Securing and Expediting Trade and Travel

At our Nation's 328 land, air, and sea POEs, CBP prevents dangerous people and contraband from entering the United States, while facilitating the legal flow of international trade and travel by using a combination of personnel, technology, intelligence, risk information, targeting, and international cooperation. CBP extends the U.S. 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 this country.

CBP also has the responsibility to enhance the Nation's economic competitiveness and security by efficiently and effectively processing goods and people across U.S. borders. This is crucial to promoting job growth and helping the private sector remain globally competitive today and in the future. With the support of this Subcommittee and through the deployment of critical frontline resources, enhanced business processes, and advanced technologies, CBP is streamlining the processing of lawful trade and travel, and promoting the growth of the U.S. economy.

Securing Travel and Trade

At POEs in FY 2015, CBPOs arrested 8,246 individuals wanted for serious crimes and stopped 225,342 inadmissible aliens from entering the United States through POEs, an increase of 14 percent from FY 2014. Grounds for inadmissibility include immigration violations, criminal violations, and national security concerns. Also, protecting the economy and America's food and agricultural production and industry, CBP's agriculture specialists seized 1.6 million prohibited plant materials, meat, and animal byproducts, and intercepted more than 171,000 dangerous pests such as the khapra beetle, one of the world's most destructive pests of grain products and seeds.

CBP is continually refining our risk-based strategy and layered approach to security, extending our borders outward, and focusing our resources on the greatest risks to interdict threats before they reach the United States. In response to the potential threat posed by the Islamic State of Iraq and the Levant (ISIL), other terrorist groups, foreign fighters, and their supporters, DHS is continually evaluating and strengthening travel security operations and programs – such as the Visa Waiver Program (VWP) – to increase our ability to identify, and prevent the international travel of, those individuals or groups that wish to do us harm.

On December 18, 2015, the President signed into law the *Consolidated Appropriations Act of 2016* (Pub. L. No. 114-113), which includes the *Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015* (the Act). The Act codifies new VWP requirements, including provisions that require individuals who have traveled to certain countries to apply for a visa. CBP, in coordination with DHS, has taken several steps to implement the changes required by the December legislation. Individuals seeking to travel under the VWP must submit applications to

the Electronic System for Travel Authorization (ESTA). On January 21, 2016, CBP began denying new Electronic System for Travel Authorization (ESTA) applications and revoking valid ESTAs for individuals who indicated holding dual nationality with Iran, Iraq, Sudan, or Syria. More than 17,000 ESTAs have been denied or revoked to date. Beginning January 13, 2016, CBP also initiated a protocol to identify ESTA holders with travel to one of the four countries,² to conduct secondary screening, and revoke ESTAs for future travel if travel is confirmed and the government and military exceptions do not apply. Finally, CBP began notifying VWP travelers of the e-passport change³ in November 2015 and will enforce the mandatory use of e-passports for all VWP travel by the legislative deadline of April 2016.

Thanks to the work of this committee, CBP was appropriated start-up funding in FY 2015 and FY 2016 for the Electronic Visa Update System (EVUS) – a pilot intended to collect biographic information from designated nonimmigrant visa holders, before he or she initiates travel to the United States, during the life of the visa validity. The system will reassess the traveler's information and continue to determine if they remain admissible to the United States. EVUS will operate similarly to the ESTA system and will assist CBP in determining whether such travel poses a law enforcement or security risk by validation through selected law enforcement databases. We will be working with Congress throughout the year to secure the authority to spend the fees we collect from this system. The fees collected will be used to further the support of the system development, network and network security, fee collection and processing, the EVUS Information Call Center, and EVUS staffing. The fee associated with the program is intended to maintain the program in future years.

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. CBP's FY 2017 Budget Request includes an increase of \$4.5 million to expand staffing at CBP's National Targeting Center (NTC). 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/bioterrorism threats from actually reaching U.S. POEs, thereby extending our border security initiatives outward and making our borders the last line of defense rather than the first line of defense.

Thanks to the support of this Subcommittee, the *Consolidated Appropriations Act of 2016* (Pub. L. No. 114-113) provided necessary funds for CBP to initiate counter network operations within the NTC. The newly-established Counter Network Division's (CND) mission is to support CBP, DHS, and the interagency law enforcement and intelligence communities in developing an interoperable counter network process that provides a comprehensive understanding of emerging threats. This analysis will enhance our understanding of illicit networks (terrorism, human

² On February 18, 2016, DHS announced the addition of Libya, Somalia, and Yemen to the list of countries of concern, limiting VWP travel for certain individuals who have traveled to these countries since March 1, 2011. The three additional countries designated join Iran, Iraq, Sudan and Syria as countries subject to restrictions for VWP travel for certain individuals.

³ On August 6, 2015, DHS introduced a number of additional security enhancements to the VWP, including enhanced traveler vetting, information sharing, and other security requirements for VWP countries to further address any potential threat. The August 2015 enhancements also introduced a requirement for all VWP travelers to use electronic passports (e-passports) for travel to the United States. Currently, citizens of the 27 countries designated into the VWP before 2007 may use a machine-readable non-biometric passport if that passport was issued before October 26, 2006 and is still valid.

smuggling, narcotics, and illicit trade/finance) and illuminate opportunities for CBP or partners to disrupt their operating environments and ultimately dismantle them.

Focusing on securing the global supply chain and leveraging NTC and CND capabilities, CBP's Budget Request includes \$1.0 million to expand trade targeting through the Trade Intelligence and Counter Networks Initiative. This initiative would enhance CBP's strategic trade targeting capabilities to quickly detect, deter, and disrupt high-risk financial and illicit trade networks and combat criminal organizations that illegally exploit American trade. This initiative is critical to ensuring a level playing field for American industry and hard-working Americans everywhere.

On May 29, 2015, DHS Security Secretary Johnson announced DHS's intent to enter into negotiations to expand air preclearance operations to ten new foreign airports, located in nine separate countries. These countries represent some of the busiest last points of departure to the United States — in 2014, nearly 20 million passengers traveled from these ten airports to the United States. Preclearance allows for the complete inspection process and security screening to occur on foreign soil prior to boarding a direct flight to the United States thereby obviating the need for further CBP processing or TSA security screening upon arrival. This enhances border and aviation security, reduces wait times, increases capacity for airlines, and allows the United States and our international partners to jointly identify and address threats at the earliest possible point. More than 16 million individuals traveled through one of CBP's preclearance locations in Canada, Ireland, the Caribbean, or the United Arab Emirates in FY 2015, and our goal is to process 33 percent of US-bound air travelers through preclearance by 2024.

All new preclearance locations will be funded through a combination of user fees and reimbursements from foreign airport operators, to the extent allowed by law. Thanks to the support of this Subcommittee as well as the Senate Finance and House Ways and Means Committees, recent statutory changes significantly improved the reimbursement mechanism CBP may use to fund preclearance operations. H.R. 644, the *Trade Enforcement and Trade Facilitation Act of 2015*,⁴ signed by the President just last week, gives CBP authority to accept advance payments, charge airport operators for initial costs, and authorizes up-front funding for preclearance operations. The *Consolidated Appropriations Act of 2016* (Pub. L. No. 114-113) provided this up-front appropriation that CBP may use to cover the costs of preclearance operations until reimbursements are collected. These changes will allow CBP to expand preclearance as planned without diverting appropriated funds from other activities. CBP expects the first preclearance expansion location to begin operations in FY 2017.

The FY 2017 President's Budget proposes the transfer of the Office of Biometric Identity Management (OBIM) from the National Protection and Programs Directorate (NPPD) to CBP. This transfer will add responsibility for providing enterprise-level biometric identity services to DHS and its mission partners in order to advance informed decision making by producing accurate, timely, and high assurance biometric data and analysis. In FY 2015, OBIM processed over 95 million total transactions from domestic OBIM partners. These transactions identified approximately 3 million watchlist matches and identified nearly 184,000 known or suspected terrorist matches. Today, DHS manages an entry/exit system in the air and sea environments using biometric and biographic components that identify overstays. With the recent support of Congress in the *Consolidated Appropriations Act of 2016* (Pub. L. No. 114-113), DHS is

⁴ As of February 26, 2016, the Trade Enforcement and Trade Facilitation Act of 2015 has not been assigned a Public Law number.

continuing to move forward in further developing a biometric exit system that can be integrated in the current architecture.

As part of our commitment to deploying innovative technologies to enhance homeland security while facilitating international travel, CBP has recently started expanding biometric technology pilots at air and land POEs. On January 19, 2016, CBP began using facial comparison technology at John F. Kennedy International Airport⁵ to help verify a traveler entering the United States matches the passport presented. CBP has also started testing biometric technology for travelers departing the United States at the Otay Mesa⁶ pedestrian crossing. Improved technology for comparing entries and exits will enhance CBP's ability to secure the border, identify visa overstays, identify persons of interest, and improve reporting and analysis of international visitors to the United States. While implementation of a robust and efficient biometric solution will take time, DHS is aggressively evaluating emerging biometric technologies and working closely with our domestic and international stakeholders to find solutions that protect the integrity of our visa system, minimize disruptions to travel, prove to be cost-effective, and provide sufficient flexibility to address both current and future requirements.

Expediting Travel and Trade

CBP supports the President's National Travel and Tourism Strategy to expand the Nation's ability to attract and welcome international visitors while maintaining the highest standards of security. CBP officers welcomed more than 382 million travelers at air, land, and sea ports of entry in FY 2015. More than 112 million international travelers arrived at U.S. airports, an increase of 5.1 percent from the previous fiscal year.

With the strong support of this Subcommittee, CBP continues to expand trusted traveler programs, such as Global Entry, and continues to provide international travel security and facilitation benefits. Global Entry allows for expedited clearance of pre-approved, low-risk travelers. Currently available at 46 U.S. airports and 13 preclearance locations, Global Entry streamlines the screening process at airports for trusted travelers. The program has more than 2.5 million members enrolled now, and CBP receives approximately 70,000 new applications for Global Entry each month. This past December, CBP expanded Global Entry to citizens of the United Kingdom.⁷

Also with the strong support of this Subcommittee, CBP is completing the development of core ACE capabilities. CBP's budget request includes \$83.9 million to sustain the operations and maintenance efforts associated with the ACE acquisition program. In FY 2017 ACE will be operating at full operational capacity, thereby requiring less overall sustainment costs for the program. When fully operational, ACE will result in the private sector using just one portal for transmitting electronic information about imports and exports for 47 government agencies, eliminating over 200 different forms and streamlining trade processes.

Cross-border trade also increased in FY 2015, with CBP processing more than \$2.4 trillion in trade and collecting more than \$46 billion in revenue. In FY 2015, CBP processed more than \$1.5

⁵ Expansion of Biometric Technology: Facial Comparison at JFK: <http://www.cbp.gov/newsroom/national-media-release/2016-01-19-000000/cbp-use-facial-comparison-technology-john-f>

⁶ CBP to begin biometric exit testing at Otay Mesa POE <http://www.cbp.gov/newsroom/local-media-release/2016-02-11-000000/cbp-begin-biometric-exit-testing-otay-mesa-port-entry>

⁷ Expansion of Global Entry to UK Citizens <http://www.cbp.gov/newsroom/national-media-release/2015-11-03-000000/cbp-announces-expansion-global-entry-uk-citizens>

trillion worth of U.S. exported goods and 26.3 million cargo containers. In FY 2015, CBP conducted more than 28,839 seizures of goods that violated intellectual property rights, with a total retail value of more than \$1 billion – thereby protecting American innovation.

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 Fiscal Year 2015, we supported domestic producers of products ranging from steel plates to solar panels to crawfish by collecting \$1.7 billion in cash deposits to secure anti-dumping duties. We continually seek to develop and implement ways to improve our business processes and strengthen our engagement with our international and private-sector partners. To this end, the request for \$1.25 million to fund CBP's Sharpening Trade Expertise initiative will ensure that the CBP workforce is equipped with the necessary skills and knowledge to proactively enforce our trade laws and facilitate lawful trade in a rapidly evolving global trade environment.

On January 12, 2016, Mexican Secretary of Finance and Public Credit Luis Videgaray and the Commissioner met in Mesa de Otay, Tijuana, Mexico, to inaugurate the U.S.-Mexico Cargo Pre-Inspection Program pilot.⁸ Under the Program, certain cargo is to be pre-inspected in Mexico prior to crossing the border into the United States in an effort to improve the flow of trade as well as reduce border wait times and transaction costs. These pre-inspection pilots are a tangible example of the shared commitment between the United States and Mexico to promote economic growth and prosperity between the two countries connected by more than just a shared border. In 2016, we anticipate the inauguration of a third pre-inspection pilot in San Jeronimo, Mexico.

Also, thanks to the support of the Subcommittee, this past December, CBP announced a milestone toward fulfilling the agency's initiative to enhance industry-specific collaboration with the expansion of the Apparel, Footwear, and Textiles (AFT) Center of Excellence and Expertise.⁹ The Centers reflect the true spirit of collaboration between CBP and our trade stakeholders, reducing transactional costs, increasing consistency and predictability, and enhancing our ability to identify high-risk commercial importations. The expanded AFT is now CBP's hub for more than 67,000 importers of clothing, shoes, and raw materials.

Availability of frontline law enforcement at our Nation's POEs is also critical to achieving both our trade security and facilitation responsibilities. CBP proposes backfilling a limited amount of CBPO attrition with CBP Technicians, which will allow existing CBPO personnel to focus their time on law enforcement responsibilities rather than administrative functions. This proposal will help to ensure that the right personnel are focused on the right jobs, increase efficiency of POE operations, and will also generate efficiencies in the amount of \$2.5 million.

Integrated Operations

CBP's commitment to risk-based, intelligence-driven operations enables us to focus resources on a wide array of diverse threats ranging from networks of terrorism and transnational crime to individuals attempting illegal entry; from the illicit movement of weapons to the introduction of agricultural pests and diseases; from trafficking in drugs, weapons, and human trafficking to the

⁸ Pre-Inspection Program Pilot at Mesa de Otay

<http://www.cbp.gov/newsroom/national-media-release/2016-01-12-000000/cbp-commissioner-inaugurates-cargo-pre-inspection>

⁹ Expansion of Apparel, Footwear, and Textiles Center: <http://www.cbp.gov/newsroom/national-media-release/2015-12-16-000000/us-customs-and-border-protection-announces>

transit of prohibited, restricted, and unsafe goods. CBP's application of risk management principles has enabled sound, timely operational planning and focused tactical execution against these diverse threats. CBP will continue to evolve our integrated risk management approach to remain agile and adaptable in supporting operational priorities.

As part of CBP's evolving intelligence-driven strategy, in June, the Commissioner announced the movement of the Counterintelligence Program from the Office of Internal Affairs to the Office of Intelligence (OI). The transfer of the management and operations of this program will further align CBP's intelligence capabilities with those of the Department of Homeland Security and the U.S. Intelligence Community. By bringing together similar intelligence functions under one office, the Commissioner and I are confident that this change will amplify CBP's effectiveness in executing our intelligence mission.

CBP must anticipate and proactively react to strategic risks that impact mission accomplishment. The budget requests an increase of \$1.7 million to fund 22 positions and expand critical OI capabilities. The additional positions will augment the existing staff to support OI's ability to provide products on current threats, initiatives, and intelligence. Additionally, this support would enable CBP to develop agency-wide depth of knowledge aligned with IC functions, including Counter-Intelligence, Confidential Human Source, Security, and Training. The CBP Budget Request also includes \$1.0 million, to enable OI to further the implementation of the Intelligence and Targeting Center of Excellence and Expertise (ITCEE). The ITCEE provides integrated and transformative intelligence and targeting training for CBP personnel. The funding will support the establishment of a self-sustaining and cost effective curriculum design and instruction team that will be able to meet the intelligence training requirements of the CBP workforce from all operational component offices in an effective and timely manner.

The budget also requests funds to further evolve the CBP National Common Intelligence Picture (NCIP), an advanced intelligence collection and management system. The enhancements would link CBP assets and display the output in a live environment enabling CBP to see data on Transnational Criminal Organization movements on the borders in real time. NCIP allows CBP operators and analysts the ability to view all National and CBP collection assets in a seamless environment. Funding this request will reduce the processing time of intelligence gathered from sensors and transmit completed intelligence products back to frontline operations personnel within the hour.

CBP's Air and Marine Operations Center (AMOC) is a critical component of CBP's intelligence and law enforcement operations. Thanks to this Subcommittee's support in the *Department of Homeland Security Appropriations Act, 2015* (P.L. 114-4), the FY 2017 budget requests \$9.7 million for the annualization of the 55 provided positions to expand AMOC's capabilities in anticipating and identifying the criminal use of non-commercial air and marine conveyances, and mitigating these threats by coordinating a law enforcement response. CBP's AMOC is an international, multi-domain, Federal law enforcement center that strengthens the execution of CBP's global mission, supports investigations, and provides evidence to support prosecutions.

Use of Force

CBP's most valuable attributes in protecting the American people are the integrity and professionalism of its workforce. The Agency will not be fully successful in carrying out its complex mission requirements unless it continues to earn and maintain the trust of the public it

serves. CBP's renewed focus on integrity, accountability and professionalism is only as good as its commitment to exemplifying and standing by those principles.

Additionally, the pursuit of transparency and maintaining a higher standard of performance, in particular in instances where the use of force by our agents and officers is necessary, will further strengthen the public's trust in CBP. CBP continued to update its response to investigation of Use of Force incidents in FY 2015 by revamping training, standing up a new review process, and expediting the disclosure of basic incident information to the public. Use of Force data, which reflect the application of use of force by Border Patrol agents, CBP officers, and Air Interdiction agents, showed a 26 percent reduction in the number of use of force incidents from the prior fiscal year. CBP publicly released these data on October 2015, and plans to update this information periodically.

CBP's Use of Force Center of Excellence has responsibility for the entire spectrum of CBP use of force programs, to include policy, training, equipment, maintenance and accountability. The budget requests an increase of \$4.2 million to provide additional Use of Force oversight and training. Elements of this request include scenario-based simulator training; enhancements to the CBP Assaults-Use of Force Tracking System (AUFRS) to increase reporting and analysis. Investments in this activity will enable CBP to better train our law enforcement personnel and increase the transparency and accountability of CBP as it relates to use of force incidents and equipment.

Our law enforcement personnel are trained to use the amount of force that is reasonable and necessary in a given situation. When agents and officers have access to less-lethal tools, they may in some instances be able to quickly control a situation in a reasonable manner that preserves human life. CBP is committed to equipping our law enforcement officers with the tools that allow for less-lethal options in an operational setting. The budget requests an increase of \$12.0 million to better equip our law enforcement personnel with properly maintained and functional weapons for field use. This request also funds less-lethal device re-certification for all CBP law enforcement personnel and establishes a national reserve of less-lethal devices to rapidly replace aging less-lethal devices.

Management & Administration

Understanding the challenges and requirements of operating within a constantly changing environment, CBP must diligently pursue organizational efficiencies, optimized business processes, and mature functional capabilities to fully support operational needs and assure overall mission effectiveness. CBP's committed personnel and inherent culture are regarded as its most valuable resources and must be cultivated through progressive training to ensure a fully capable, integrated and collaborative Agency.

Commitment to Transparency and Service to the Public

In November, as part of CBP's continued emphasis on transparency and accountability, the Commissioner announced¹⁰ his decision to expand CBP's use of cameras in and around the border environment. The camera review includes the integration of new body-worn camera testing into law enforcement operations such as checkpoints, vessel boarding and interdictions, training academies, and outbound operations at POE, as well as mobile camera options in vehicles and on

¹⁰ <http://www.cbp.gov/newsroom/national-media-release/2015-11-12-000000/cbp-announces-way-forward-use-body-worn-cameras>

marine vessels. CBP's Budget Request includes an increase of \$5.0 million to support requirements analysis and test and evaluation activities for the suite of camera options considered in the November 2015 CBP Body-Worn Camera Feasibility Study Report. This request will provide the first dedicated funding for body-worn cameras and other camera technology and will allow CBP to evaluate the feasibility of incorporating body-worn camera technology into CBP's law enforcement operations in each of its operational environments along the U.S. border — at and in between land POEs, in the air, and at sea.

Supporting another key aspect of my commitment to Agency transparency, CBP is requesting an increase of \$3.2 million to establish a Spanish Language Capability at the CBP Information Center (CIC). A Bilingual element at the CIC is a much needed capability for the agency to receive complaints, compliments, tips, and inquiries from customers whose primary language is Spanish.

And finally, in August 2014, DHS Secretary Johnson delegated to CBP the authority to investigate alleged criminal misconduct, as well as fatal or significant use of force incidents, involving CBP employees – a responsibility previously delegated to the Immigration and Customs Enforcement Office of Professional Responsibility (ICE OPR). CBP's FY 2017 Budget Request supports an increase of \$6.9 million to hire an additional 30 criminal investigators to increase CBP's ability to investigate and resolve these matters in a comprehensive and timely manner. Increased investigative staffing will also allow for greater participation in the 22 FBI-led Border Corruption Task Forces that provide valuable criminal intelligence information on Transnational Criminal Organizations.

Conclusion

The security of our Nation will continue to be tested by new and emerging threats and challenges. With the support of Congress, CBP continues to secure our Nation's borders, and promote international commerce and tourism, through a multi-layered approach using a variety of tools.

CBP will continue to work with DHS and our federal, state, local, tribal, territorial, and international partners, to strengthen border security and facilitate lawful cross-border trade and travel that is critical to our economy. We must remain vigilant and focus on refining our approach and positioning CBP's greatest capabilities to combat the greatest risks that exist today, to be prepared for emerging threats, and to overcome the challenges of securing a 21st century border.

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.