

Statement of Robert C. Bonner to the National Commission on Terrorist Attacks Upon The United States

January 26, 2004

Thank you, Chairman Kean and Members of the Commission. It is a pleasure to have an opportunity to testify before the 9-11 Commission and to describe the various ways that the terrorist attacks of September 11, 2001 affected the U.S. Customs Service and eventually resulted in the creation of U.S. Customs and Border Protection within the Department of Homeland Security.

Although almost two and a half years have passed since 9-11, that day remains as vivid in all of our memories today as it was two years ago. We still grieve for the nearly 3,000 innocent people whose lives were cut short on that day, and for their families and loved ones. The horror and the anger that we all felt as a result of the terrorist attacks on 9-11 have not changed despite the lapse of time.

SEPTEMBER 11

Like most Americans, that day is etched in my memory. On September 11, 2001, I had not yet been confirmed as Commissioner of U.S. Customs. As Commissioner-Designate, however, I had received briefings by Customs officials at my temporary office on the fourth floor of the Treasury Department. These briefings mostly concerned various trade, drug interdiction and personnel issues which I was told would require my attention after Senate confirmation.

On the morning of September 11, I was in my office at the Treasury Department, next door to the White House, when the sirens went off to evacuate the building at about 9:35 a.m. Just before exiting the fourth floor at Treasury, I glanced out the window and saw a huge plume of black smoke rising from the Mall. I later realized that the plume was emanating from the Pentagon which had just been hit.

Outside, on the 15 Street, Acting Treasury Secretary Kenneth Dam asked me to join him at the command center at Secret Service Headquarters, a few blocks away. Once there, I immediately established contact with U.S. Customs Headquarters in the Ronald Reagan Building.

On that morning, Customs was operating under temporary leadership. Charles Winwood, the Acting Commissioner of Customs, was grounded in Canada, and John Varrone, Assistant Commissioner for the Office of Investigations, had assumed the role of Acting Commissioner. I asked Varrone what actions were being taken at Customs and to assess the situation for me. He advised that Customs planned to move to Alert Level One at all three hundred border ports of entry—the highest level of security alert short of shutting down the border. I immediately concurred and briefed Acting Secretary Dam on the action being taken. At about 10:05 a.m. on September 11, U.S. Customs went to Alert Level 1. I was advised that the raising of the alert level was coordinated with the Immigration and Naturalization Service.

Throughout the day of September 11, I was kept advised of action taken by U.S. Customs. The Crisis Management Team at Headquarters was implemented pursuant to Custom's Continuity of Operations Plan, and within minutes of the attacks, a Customs agent was on-site at FBI Headquarters, a few blocks away. Led by Assistant Commissioner Varrone, the Customs Assistant Commissioners convened in the Commissioner's Situation Room to manage the situation and

advise on necessary actions for the agency. An hour after the attack, every available Customs agent, analyst, and inspector was on call for round the clock duty in the Customs Situation Room, where data continued to come in from our field offices throughout the country, including Customs' Air and Marine Interdiction Coordination Center in Riverside, California.

Besides ratcheting up security at our borders, -- increasing the questioning of people entering the U.S. and increasing the inspection of vehicles and cargo shipments, Customs also repositioned several of its Blackhawk helicopters from the Southwest Border to the Northeast, to aid in the recovery efforts and transport law enforcement personnel, including FBI agents. Later, Customs' air assets and AMICC would participate with the Combat Air Patrol in the protection of air space above several major U.S. cities, including the Nation's Capitol.

On the morning of 9/11, through an evaluation of data related to the passengers manifest for the four terrorist hijacked aircraft, Customs Office of Intelligence was able to identify the likely terrorist hijackers. Within 45 minutes of the attacks, Customs forwarded the passenger lists with the names of the victims and 19 probable hijackers to the FBI and the intelligence community.

The Customs Service was also struck directly by the attacks of September 11. Our Customs House at 6 World Trade Center, which served as Customs' headquarters for much of our northeast operations, was destroyed when the twin towers fell. Fortunately, all 800 Customs employees escaped the building unharmed, and the loss of the building as nothing in comparison to the thousands of innocent people murdered on that day.

Nonetheless, the sudden disruption to such a large and important area of Customs' operations threatened to compromise the immediate security of ports of entry in the New York area and the integrity of ongoing Customs investigations and trade and enforcement activities. We faced an immediate need to relocate all 800 employees and to allow them to resume their work quickly so they could focus on border security. These men and women responded heroically to the challenge, setting up a temporary operations center within hours at nearby JFK airport. And within three weeks of the attacks, they succeeded in relocating our New York Customs Office into new office space in Manhattan.

I was confirmed by the Senate as Commissioner of Customs on September 19, 2001 and officially sworn in as Commissioner on September 24. On September 25, I traveled to New York, where I visited the World Trade Center site and spoke with the Customs employees who had been displaced. I was deeply impressed with the spirit and determination of the Customs men and women. They restored Customs operations within a few hours 9/11 attack. They had carried on bravely, in the name of those murdered in the attacks – some of whom were friends and family – to renew the purpose of their work and focus on the anti-terrorism mission ahead.

A Shift in Customs' Priority Mission: Preventing Further Terrorist Attacks

The terrorist attacks on New York and Washington challenged Customs in ways it had never before experienced. Prior to the September 11 attacks, the U.S. Customs Service had primary responsibility for safeguarding the nation's land, sea and air ports of entry and for preventing contraband from entering the U.S. or leaving the country via illegal shipment abroad. But on the morning of September 11, both I, as Commissioner-designate, and many at Customs realized that the agency's mission and its future had been dramatically altered. It was clear to me that our priority mission had changed from the interdiction of illegal drugs and trade the regulation of trade to a security prevention mission: preventing terrorists and terrorist weapons from entering the U.S.

AFTER SEPTEMBER 11

Crisis at Our Borders September 12 and 13

By September 12 and 13, huge delays were occurring at our land borders, particularly at the Northern Border with Canada. Customs had to meet two challenges head-on: first, to ensure national security by refocusing Customs resources and second, to partner with the private sector and others to mitigate the economic consequences triggered by what had become, almost overnight, a virtual shutdown of U.S. borders in first few days after the attacks. At Customs, we also understood that another compelling priority had materialized—the need to achieve twin goals: secure our borders but do so without checking off the flow of legitimate trade and travel. We needed as many allies as we could muster in order to meet both goals.

Response on the Northern Border - Stopping Terrorism without Closing our Borders

Alert Level One meant increased inspections and sustained anti-terrorist operations. Our inspectors were working, prodigious amounts of overtime. In many instances, our inspectors were working 12 to 16 hours a day, six and seven days a week. Despite those efforts, by September 12-13 we saw wait times dramatically increase at the Northern Border – commercial traffic at the borders was paralyzed. By September 14, some of the automobile plants, dependent on Just-in-time deliveries, began to shut down.

For U.S. Customs, the dilemma was complicated: how to secure the border, but allow the movement of legitimate trade. In an average day, more than a billion dollars in trade moves across the Canadian border, mainly transported by commercial trucks. Twenty-five percent of trade from Canada crosses the Ambassador Bridge between Detroit and Windsor; over 6,000 trucks per day. The potential consequences of a border shutdown to the Canadian and U.S. economies were profound.

By September 12, the wait times to cross the Ambassador Bridge into the U.S. soared to 12 hours. Similarly, by September 13, wait times at Port Huron, Michigan swelled to 10 hours. The wait times to cross the bridges to Buffalo had reached a record 10 to 12 hours. In the days following 9/11, Customs had to look for ways to reduce the delays. With airplanes grounded, Customs Inspectors from the airports near the Northern Border reported to the land ports of entry to help with the backups. Customs also detailed inspectors from across the country – as far away as Los Angeles – to the Northern Border to both help with congestion and also secure remote ports of entry. In addition, at my request, Governor Engler of Michigan provided National Guardsmen to assist Customs in prescreening passengers and cargo and conducting secondary inspections. For several weeks local law enforcement worked with Customs to help secure our borders. As a result of these efforts, Customs was able to staff all inbound lanes, 24x7.

It was clear that cooperation with the private sector was also required; if we were to unclog the border. On September 12 and 13, Customs engaged in dialogue with executives at General Motors, Daimler Chrysler, Ford and others as to ways to improve logistics while we maintained a greatly enhanced security posture. As a result of these discussions and pursuant to my direction, for the first time, U.S. Customs posted on its website wait times at the ports of entry to assist automakers with logistical and routing decisions.

Kevin Weeks, Customs Field Director in Detroit met with industry, bridge-owners, and shipping companies at the U.S. Customs field office in Detroit to create one-of-a-kind, “wartime” strategies to avert economic disaster. The strategy they developed provided the genesis for post 9/11 Customs-private sector partnership strategies that followed.

Customs group reached out to a local barge operator, who transported other types of cargo across the lake for years, and together, Customs and the barge operator put together an agreement: he

would ship auto parts and other critical components the industry needed on an extended schedule, from 8 a.m. to midnight. Working with the bridge owner, Customs also developed a strategy designed to facilitate movement across the Ambassador Bridge: when traffic into the U.S. backed up, Customs would open up 3 of the 4 bridge lanes to carry traffic from Canada. When traffic into Canada needed to move, 3 of the 4 lanes would open in the opposite direction.

We used its Customs aircraft to transport inspectors from other locations to the Ambassador Bridge, supplementing round-the-clock shifts with its own personnel until September 13 when the National Guard deployed 45 more guardsmen to support Customs personnel.

John Heinrich, a Customs senior manager, later said that Customs "finest hour" came directly after the attack, when everyone was waiting for the "next shoe to drop." No one knew if there would be another attack, or where that attack might happen. But our inspectors didn't stop or close shop. They were doing their jobs, walking up to every car, every conveyance, every person, and looking them straight in the eye. Their job was never more dangerous than it was after 9/11, but they didn't blink."

At U.S. Customs Headquarters, within an hour of the attacks, we received a telephone call from Denis Lefebvre, the Assistant Commissioner for Operations, Canadian Customs and Revenue Agency. Mr. Lefebvre made an immediate and unconditional offer to do anything his agency could do to help. Immediately, Canada began working with us to manage the delays at the border.

As a result of the combined efforts of many - the dedication, hard work and long hours of our Customs inspectors, the assistance provided by the National Guard and local law enforcement, cooperation of the private sector, and the – wait times on the Northern Border were reduced to close to pre-September 11 levels by September 17, only 6 days after the attacks. This was done without compromising security.

Customs Officers Demonstrate Initiative and Cooperation

On other fronts, in Customs offices across the nation, Customs agents were answering an immediate call for federal air marshals. Customs inspectors joined Border Patrol agents as a show of force at the airport screening site, when passenger aircraft were allowed to fly again. In some places, employees didn't even have time to pack. In New York, where Customs officers witnessed the devastation first-hand, volunteers lined up for any and every kind of duty. They became part of the ad hoc "bucket brigade" at Ground Zero, working with NYPD, NYFD, the Secret Service, and the FBI. They stood sentinel at the site of 6 World Trade Center where the Customs vault was buried in debris. They manned emergency phone lines day and night, worked around-the-clock searching for possible survivors and clues about the identities and locations of terrorist cells. Customs inspectors at the nation's air and land ports also reported for extended schedules. Customs personnel reported to Fresh Kills landfill on Staten Island later in September and began a marathon recovery effort, sifting through tons of debris that arrived on barges from Ground Zero. Some volunteers came straight from FLETC, the Federal Law Enforcement Training Center in Glynco, Georgia; the rest from offices and disciplines throughout Customs.

Customs Changes Focus: A New Priority Mission

All of Customs made tremendous adjustments and sacrifices in the wake of September 11. But the terrorist attacks made clear that Customs would never return to business as usual. Prior to September 11, Customs traditional missions included preventing illegal drugs and other contraband from being smuggled into the United States. Customs protected intellectual property rights by seizing counterfeit goods. Customs was also responsible for regulating trade, collecting duties and investigating money laundering and financial crimes, trade fraud, illegal exports, and child pornography and abuse. Our success in interdiction and money laundering investigations—in particular, Customs leadership of the El Dorado Task Force in New York and Operation Casablanca—had established the agency's reputation within the international law enforcement community as a premier money laundering investigative agency.

Even before being sworn in on September 24, I began to refocus Customs on a new priority mission –preventing terrorists and terrorist weapons from entering the U.S. On September 26 during my talk with employees at Customs Headquarters, I said, “The President has let us know that this struggle is now his highest priority for the nation. The battle against terrorism is and will be the highest priority for the U.S. Customs Service as well.”

In early October, 2001, I established an Office of Anti-terrorism and appointed Colonel William Parrish as the Director. Colonel Parrish is an anti-terrorism expert and a former Marine officer who had commanded US Marine Corps Security Forces consisting of approximately 4,000 specially trained anti-terrorism personnel. Upon arriving at Customs, Colonel Parrish was charged with coordinating and integrating across the agency an anti-terrorism strategy for border security. In symbolic terms, the creation of this new Office of Anti-Terrorism was extremely important for Customs. It signaled the agency’s new mission in a clear and unmistakable way.

Before 9/11, much of our efforts had been directed toward drug interdiction and trade compliance. After 9/11, our energies were sharply re-focused on the anti-terrorism mission.

Intelligence and targeting were key to Customs anti-terrorism mission. In October 2001, Customs stood up the Office of Border Security—later renamed the National Targeting Center (NTC), which I will discuss later in my testimony. The Office of Border Security unit operated on a 24/7 basis to look at all available information to target for passengers and shipments that posed a potential risk for terrorism. This was the first time Customs began to target on a national basis as opposed to a port-by-port basis. Customs quickly adapted the strategies and techniques used to target drug traffickers to the agency’s new mission. Advance information concerning passengers and cargo shipments was essential to performing that mission.

Three Core Areas of Customs Anti-Terrorism Response

With the emergence of the new mission priority, Customs identified three primary areas of focus in our efforts to protect America from international terrorism. They were: 1) increased border security; 2) extended border strategies; and 3) the identification and disruption of terrorist financing networks.

Border Security

After 9/11, security of our borders became a priority for Customs, and Customs began developing and implementing initiatives to increase security and facilitate legitimate trade and travel. The overall strategy built upon a combination of factors: using automation to risk manage for the terrorist threat, expanding advance information on people and goods entering the U.S. and improving our automated targeting systems; fostering initiatives that “pushed the border outwards” and extended our security perimeter; developing industry partnerships to protect trade; securing the movement of cargo and people through partnerships with other countries, including our neighbors to the north and south; and increasing staff positions and detection technology for greater border security.

New Legislation Provides Customs With Advanced Passenger Information

One of the greatest challenges we face in the war on terrorism is determining who and what to look at. Because of its border power, U.S. Customs and Border Protection has broader law enforcement authority than our other law enforcement agencies. CBP has the broad power to question and search every person, vehicle, and shipment of goods entering the U.S. But how do we sort out who and what to look at, question, and inspect?

Prior to 9/11, Customs received advance passenger information on a voluntary basis from airlines. As the Commissioner of Customs, I proposed mandatory airline participation in the Advanced Passenger Information System, or "APIS." The Administration fully supported this proposal, and it soon became a reality. The Aviation and Transportation Security Act enacted by Congress in November 2001 required all airlines flying into the U.S. to provide Customs with advance passenger information, the passenger manifest, and personal name and record data. Using the data, Customs was better able to identify individuals posing a potential threat prior to their arrival at U.S. airports.

APIS requires airline personnel to transmit data on every passenger on every aircraft electronically to Customs on take-off from foreign airports. Although some airlines initially balked at submitting APIS data to comply with the new regulations, which took effect in January 2002, they quickly came around and began supplying Customs with the needed information, even before the law took effect. The fact that Customs substantially increased its inspection of arriving passengers for airlines not providing the APIS data no doubt accelerated compliance.

In conjunction with the new legislative requirement, Customs also upgraded and expanded its systems to ensure that APIS could keep up with the expanded work flow. APIS is now a real-time system that runs advance passenger information against law enforcement and terrorist databases on a passenger-by-passenger basis. By the time a plane lands, Customs is able to evaluate who on the aircraft may pose a threat to the U.S. and take appropriate action.

Customs moved aggressively to achieve compliance from all air carriers as soon as possible. In less than a year, we achieved a 99% compliance rate. CBP, through our combined customs and immigration authorities, uses that information to evaluate and determine which arriving passengers pose a potential terrorist risk.

Advance Cargo Information, Improved Targeting and Inspection of All High Risk Cargo Containers

Before 9/11, Customs collected a great deal of information on cargo shipments through the Automated Manifest System, or AMS. Using this system, Customs had developed an extensive database of information on the shipping industry, its patterns, and all who participate in it through the entry documents and manifests that every shipper is required to submit.

After 9/11, we began using a targeting program known as the Automated Targeting System, which permits Customs targeters to sort through the vast AMS database and pick up anomalies and "red flags." We have also developed targeting rules based upon strategic intelligence. By the summer of 2002, all cargo shipment targeted or scored were subjected to a security inspection upon arrival. This system functioned well, but their manifest information was not always complete and there was no requirement that the information be submitted prior to arrival.

To identify and target potentially risky shipments, Customs needed complete data and it needed it in advance. Customs needed that information in advance in order to identify high-risk containers before they leave foreign ports, before the cargo is loaded on board those ships.

To this end, Customs proposed and the Administration issued the "24-hour rule" in October 2002. This regulation required submission of complete manifest information to U.S. Customs 24 hours in advance of lading for all oceangoing cargo containers bound for the U.S. As a result of that rule, CBP is getting information today that allows us to identify containers we need to take a closer look at - ones that raise security concerns.

Trade Act Regulations

Customs needed to expand the requirements to include advance information for all cargo entering the country – not just ocean-going containers. Successful targeting of high-risk goods transported through other commercial modes is as important as successful targeting of high-risk goods

transported by sea. As with oceangoing cargo, good information received earlier in the process is the key to that successful targeting and the application of sound risk management principles.

In the Trade Act of 2002, Congress recognized the importance of such advance information by giving Customs the regulatory authority to require the electronic transmission of advance manifest data on all commercial transportation modes, both inbound and outbound. Customs consulted closely with the trade to determine the most appropriate advance manifest requirements for land, rail, and air cargo. We held public hearings beginning in January 2003, launching a process of discussion and proposal preparation that ultimately led to our publishing final rules December 2003. This process ensured that the final rules met our security objectives while also taking into account the realities of the businesses involved in the different transport modes. These regulations, like the 24-hour rule, permit better risk management for the terrorist threat, before cargo shipments reach the U.S. border ports of entry.

National Targeting Center

The final piece to improving Customs' targeting capabilities required an increase in the resources dedicated to finding the high-risk goods and people among the millions of legitimate shipments and travelers that cross our borders each year. To this end, starting in October 2001, Customs dedicated a cadre of officers and millions of dollars to provide the necessary equipment and staffing for what is now the National Targeting Center.

Historically, at the port level, U.S. Customs had developed targeting techniques for drug smuggling and currency violations in both the passenger and trade environments. Following the terrorist attacks on September 11, 2001, Customs began adapting its targeting methodology for anti-terrorist and national security concerns and began to focus at the national level on arriving cargo and people at all ports of entry. Recognizing the scope of the threat, Customs created a National Targeting Center (NTC, originally called the Office of Border Security) in October 2001. The NTC began around the clock, 24X7 operations on November 10, 2001, with a priority mission of providing tactical targeting and analytical research support for Customs anti-terrorism efforts.

The NTC is primarily staffed by Inspectors and Field Analysis Specialists that are experts in passenger and cargo targeting for air, sea, and land operations. Under the guidance of a Watch Commander, the NTC staff develops tactical targets from raw strategic intelligence in support of the Customs' mission to detect and prevent terrorists and terrorist weapons from entering the United States. NTC also supports our field elements, including Container Security Initiative personnel stationed in countries throughout the world, with additional research assets for passenger and cargo examinations.

In January 2003, the NTC staff relocated from Customs Headquarters to a state of the art facility located in Northern Virginia. When the border inspectional personnel of Customs, the Immigration and Naturalization Service, and the Department of Agriculture came together with the Border Patrol on March 1, 2003 to form U.S. Customs and Border Protection (CBP), the NTC mission broadened commensurately with the CBP role as the one, consolidated agency to manage and secure the Nation's borders.

Part of CBP's Office of Field Operations, the NTC has representatives from all CBP disciplines, including representatives from the Border Patrol, the Office of Intelligence, and the Office of Information and Technology. After 9/11, the need to pool and share information has never been greater. For this reason, the NTC has a liaison staff from the FBI and intelligence community. The Transportation Security Administration and the Department of Energy have also assigned liaison personnel to NTC. To broaden the scope of CBP targeting, the NTC has also developed liaison with the Office of Naval Intelligence and the United States Coast Guard via an exchange of personnel with the National Maritime Intelligence Center.

Lastly, to support the timely and accurate flow of information pertaining to homeland security and terrorist activity, the provides targeting expertise and analysis to the Department of Homeland Security and its Operations Center. The NTC supports the Department's decision-makers as well as CBP national targeting strategy.

On December 8, 2003, the CBP Laboratories and Scientific Services Division (LSS) moved its Radiation Portal Monitor and Teleforensics Center to the NTC. The collocation of the Radiation Portal Monitor and Teleforensics Center at the NTC facility further enhances both LSS and NTC support of CBP field assets.

Commencing joint targeting operations in support of the Bio-terrorism Act, on December 11, 2003, CBP and the Food and Drug Administration (FDA) opened the Bio-Terrorism Act Prior Notice Center, which is also collocated at the NTC facility. Working side by side with CBP, FDA personnel utilize the CBP Automated Targeting System and the FDA Operational and Administrative System for Import Support to target shipments that pose a potential risk for bioterrorism.

Working together with CBP partners within the Department of Homeland Security and beyond, the NTC mission continues to evolve as a cornerstone in the war on terrorism. Centralized NTC targeting endeavors, combined with intra and interagency collaboration, have helped assure a coordinated identification and response to the entry of goods or people into the U.S. that may pose a terrorist threat.

Pushing Our Borders Outwards

In the wake of 9-11, we realized that we had to begin pushing our zone of security outward. We wanted our borders to be our last line of defense against the terrorist threat, not our first line of defense. This is the "extended border," defense-in-depth concept, part of what Secretary Ridge has aptly called a "Smart Border" strategy. The Customs-Trade Partnership Against Terrorism (C-TPAT) and the Free and Secure Trade (FAST) initiative are two of our extended border initiatives. Another extended border, or smart border initiative, is CSI, the Container Security Initiative. CSI was developed because of the vulnerability of cargo containers to terrorist exploitation and the consequences if even one of the seven million containers shipped to the U.S. annually were to conceal a weapon of mass destruction.

Customs-Trade Partnership Against Terrorism

Approximately 17 million cargo containers and commercial trucks enter the U.S. every year. One thing that was apparent to me as we confronted post 9/11 security issues was that support of the private sector was essential to better secure those 17 million cargo shipments against terrorist exploitation. I knew that a comprehensive border security strategy for our nation and for global trade had to include the private sector, because they are the ones who own the supply chain. As part of this cooperative effort, Customs could offer something to the private sector in return for their participation in this security program: expedited processing at the borders.

On November 27, 2001, at the U.S. Customs Trade Symposium in Washington, D.C., Customs proposed the creation of the Customs-Trade Partnership Against Terrorism, or C-TPAT. In a short period of time, C-TPAT has become the largest and most successful private-public partnership to come out of the 9/11 terrorist attacks.

To join C-TPAT, companies must provide Customs with the measures they have taken to strengthen the security of their supply chains, from the foreign loading docks of their suppliers to the U.S. border. A discussion then takes place with Customs regarding whether supply chain security best practices are met and will continue to be met. After the review, if there is a commitment to meet those supply chain security best practices, a company is admitted into C-TPAT. Thereafter, Customs validates that supply chain security best practices have been implemented and, where appropriate, suggests any needed improvements.

In exchange, companies that meet our security standards get expedited processing at and through our borders. Shippers, brokers, and importers have joined the program in large numbers: from an original group of 7 major importers in December 2001, membership has grown today to more than 5,000 companies, representing nearly 40% of all imported goods by value.

Presently, CBP has completed the validation process for over 130 C-TPAT certified companies. Validations serve to determine the accuracy and effectiveness of the companies' security commitments as applied to their supply chain, from their foreign suppliers to the U.S. borders.

C-TPAT is a voluntary program to improve security of the international supply chain. C-TPAT is more ambitious than any Customs-industry program ever launched before: its goal is to assure the integrity of every cargo shipment bound for the U.S. from the point of foreign manufacture to the U.S. border.

C-TPAT has become an important part of our risk-targeting strategy by permitting Customs to better target and, indeed, inspect more cargo shipments that have not been secured through C-TPAT or which otherwise pose a potential risk.

Container Security Initiative (CSI)

Oceangoing sea containers represent the most important artery of global commerce – some 48 million full sea cargo containers move between the world's major seaports each year, and nearly 50% of all U.S. imports (by value) arrive via sea containers. Approximately 7 million cargo containers arrive at U.S. seaports annually.

Because of the sheer volume of sea container traffic and the opportunities it presents for terrorists, containerized shipping is uniquely vulnerable to terrorist attack. Many national security experts believe that a terrorist attack using a container as a weapon or as a means to smuggle a terrorist weapon, possibly a weapon of mass destruction, is likely. These experts have pointed out that if terrorists use a sea container to conceal a weapon of mass destruction and detonate it on arrival at a port, the impact on global trade and the global economy would be immediate and potentially devastating – the economies of all nations could be adversely affected.

Given this vulnerable system, we realized the need to develop and implement a program that would enable us to better secure containerized shipping - the most important means of global commerce - against the terrorist threat. That program, which Customs proposed in January 2002, is the Container Security Initiative (CSI).

The four core elements of CSI are:

- First, stationing a team of U.S. Customs targeting personnel at foreign ports to identify “high-risk” containers before they are shipped to the U.S. These are containers that pose a potential risk for terrorism; i.e., that may contain – based on intelligence and risk-targeting principles – terrorist weapons, or even terrorists. We are using Customs’ – now CBP’s – Automated Targeting System (ATS) to identify the high-risk containers. The fact that we are now able to get the manifest information on containers 24 hours prior to loading at the foreign port, through the 24-hour rule, gives us the ability to identify high-risk containers before they are loaded on board vessels bound for the U.S.
- Second, pre-screening the “high-risk” containers at the foreign CSI port before they are shipped to the U.S.
- Third, using technology to pre-screen the high-risk containers. This permits the containers to be inspected rapidly without slowing down the movement of trade. This includes the use of both radiation detectors and large-scale radiographic imaging machines in order to detect potential terrorist weapons.
- Fourth, using smarter, “tamper-evident” containers. These are containers that indicate to CBP officers whether they have been tampered with.
- The CSI protects the world's trading system as well as our own national security, and U.S. Customs moved out rapidly to implement CSI. CSI implementation involves the stationing of a team of Customs targeters at foreign ports to work side-by-side with host nations Customs administrations.

To date, CBP has signed Declarations of Principles with 16 foreign governments to identify high-risk cargo containers and to pre-screen them before they are loaded on vessels destined for the United States. We have deployed specially trained CBP personnel to 17 foreign ports, and CSI is

operational at these 17 ports today. Our CBP inspectors and targeters work with their foreign counterparts to target and oversee security inspections of U.S. bound cargo before it leaves the foreign CSI port's docks.

U.S. Customs proposed to implement CSI initially at the "top twenty" foreign ports, from which almost 70 percent of cargo containers bound for the U.S. are shipped. With the support of Secretary Ridge, we are already moving beyond the top twenty to place CSI in other foreign ports that ship significant quantities of containers to the U.S.

CSI first became operational in March 2002, when U.S. Customs inspectors arrived in Vancouver, Montreal, and Halifax. From there, CSI grew at an astounding rate, with other governments adding their ports to the list - Rotterdam, Antwerp, Bremerhaven, Hamburg, Le Havre, Singapore, and Yokohama by the summer of 2002. As Commissioner, I met with heads of many foreign Customs organizations and foreign government officials to advance CSI. Customs' Office of International Affairs, including Assistant Commissioner Don Shruhan and our Customs Attachés throughout the world, were instrumental in explaining and implementing CSI as rapidly as we have. Our State Department has been a strong supporter of CSI, and it is a part of the President's homeland security strategy.

Since the inception of CSI just two years ago, governments representing 19 of the top 20 ports have agreed to participate in CSI. Customs and Border Protection teams have been deployed at 17 foreign seaports to perform targeting and pre-screening of high-risk containers to prevent weapons of mass destruction from entering the United States. These ports include 9 in Europe (Antwerp, Rotterdam, Le Havre, Felixstowe, Genoa, La Spezia, Bremerhaven, Hamburg, and Gothenburg, Sweden); 4 in Asia (Singapore; Hong Kong; Yokohama, Japan; and Pusan, Korea); 3 Canadian ports (Vancouver, Montreal, and Halifax); and our first CSI port in Africa (Durban, South Africa).

With nearly all of the top 20 ports on board, we have begun Phase 2 of CSI, where we are expanding beyond the top 20 to additional strategically important foreign locations such as Malaysia. In fact, Malaysia has signed a Declaration of Principles to implement CSI and we expect CSI to be operational in two of its ports very soon.

Cooperation with Canada

Upon being confirmed Commissioner of Customs, one of the first phone calls I received came from Canadian Customs and Revenue Agency (CCRA) Commissioner Rob Wright. Shortly thereafter, in early October 2001, Commissioner Wright came to Washington, D.C., where we discussed how to craft an even more effective U.S./Canadian partnership for the national security of our two countries. The Ottawa Framework emerged, an anti-terrorism strategy that provided the underpinnings for Homeland Security Director Tom Ridge and Deputy Prime Minister John Manley signing the Smart Border Declaration, which outlined a 30 point plan for increasing security and facilitating trade. The Smart Border Declaration focuses on four primary areas: the secure flow of people; the secure flow of goods; investments in common technology and infrastructure to minimize threats and expedite trade; and coordination and information sharing to defend our mutual border.

This plan resulted in the creation of the Free and Secure Trade initiative (FAST) and the expansion of NEXUS. It also provided for the harmonization of Customs processes and an increase of information sharing for anti-terrorism purposes. Canada was also an essential partner in both increasing security and facilitating the flow of traffic at the borders by working with the U.S. to pilot the Container Security Initiative (CSI) through the Joint In Transit Container Targeting Initiative pioneered at the ports of Vancouver, Halifax, and Montreal. Likewise, Canadian Customs targets containers in the ports of Newark and Seattle that are bound for Canada. It should be noted that Canada has been a partner of the U.S. in developing and championing CSI outside of North America.

NEXUS

With Canada, we have also implemented a program that enables us to focus our resources and efforts more on high-risk travelers, while making sure those travelers who pose no risk for terrorism or smuggling, and who are otherwise legally entitled to enter, are not delayed at our mutual border. Our program with Canada is called the NEXUS program. Under NEXUS, frequent travelers whose background information has been prescreened for criminal or terrorist links are issued a proximity card, or SMART card, which allows them to be waived expeditiously through the port of entry. NEXUS has expanded to eight crossings on the northern border, including ports of entry at Blaine, Washington; Buffalo; Detroit; and Port Huron.

FAST

Another important post 9-11 initiative is the Free and Secure Trade, or FAST program that originally developed along our northern border with Canada. Under the FAST program, importers, commercial carriers (i.e., trucking companies), and truck drivers enroll in the program and, if they meet our stringent mutually agreed to security criteria, they are entitled to expedited clearance at the border. Both the importer and the trucking company seeking to bring goods from Canada into the U.S. through the FAST lane must be C-TPAT participants. Moreover, drivers must submit fingerprints, undergo criminal background checks, and pass an interview.

FAST is now operational in 28 lanes at six major commercial crossings along the northern border. The first FAST/NEXUS dedicated bridge approach lane on the northern border was just instituted in Port Huron, Michigan, on January 9, 2004.

Rail Security

In addition to addressing the issue of cargo traveling by truck across the land border with Canada, we have been working closely with our Canadian counterparts to address the issue of cargo traveling by rail. In the spring of 2003, U.S. Customs and Border Protection (CBP) signed an agreement with the Canadian Customs and Revenue Agency (CCRA), the Canadian National Railway (CN), and the Canadian Pacific Railway (CP) to implement a process for targeting, screening, and examining rail shipments transported into the United States from Canada by CN and CP, by far the two major cross-border rail carriers.

The agreement enables CBP to receive advance manifest data on rail shipments coming from Canada into the United States. It also provides for security screenings using Non-Intrusive Inspection (NII) technology and radiation detection equipment, at designated locations near the border, as well as for examinations at specified locations, when such examinations are warranted. This agreement is a major step forward in addressing the potential terrorist threat for rail shipments coming into the United States from Canada.

Watchlist Exchange

In addition to our efforts with respect to cargo in programs like the in-transit container targeting program, FAST, and the recent rail agreement, we have implemented initiatives with Canada that focus on travelers crossing the border between our two countries. For example, U.S. Customs (now CBP) and CCRA have agreed to exchange terrorist-related watch lists and run them against the other agency's advance passenger information for arriving air passengers so that each country knows of these potential threats and can take appropriate steps in a timely manner.

On March 21, 2003, for the first time, CBP provided its watch list of terrorist-related individuals to CCRA, and they are now running those names against their API system and will advise us of "hits." This will allow us to be aware of potential terrorist-related individuals entering Canada, and vice

versa, and will permit consideration of coordinated law enforcement action with respect to those individuals.

Cooperation with Mexico

Mexico also pledged support to help alleviate traffic congestion and secure the flow of goods coming into the United States across the southwest border. On 9/11, while companies across America were shutting down and sending employees home, inspectors at the ports of entry like San Ysidro and Calexico sprang into action. They shut down 24 lanes of traffic, and began a painstaking search of 42,000 cars.

In the week following 9/11, drug seizures dried up, and Customs began to see the development of a new phenomenon – one dubbed "the anti-terrorist Dividend." Statistics began to demonstrate that Customs' increased scrutiny for anti-terrorism purposes was driving up the seizure rates for drugs. Traffickers stymied by the tight security in place after the attack were desperate to move their illegal merchandise, but when they did, Customs inspectors on high alert seized it. Crossing the border meant making it through the eye of a needle, a process that allowed Customs inspectors to scrutinize passengers and vehicles with unrelenting thoroughness.

We have continued important bilateral discussions with Mexico to implement initiatives that will protect our southern border against the terrorist threat, while also improving the flow of legitimate trade and travel.

One of the initiatives led by the former INS is called SENTRI. Like NEXUS on the northern border, SENTRI is a program that allows pre-screened, low-risk travelers to be processed in an expedited manner through dedicated lanes at our land border with minimal or no delay. This has the obvious benefit of enabling CBP personnel to focus their attention on those crossing our borders who are relatively unknown, and therefore might pose a potential threat. SENTRI is currently deployed at 3 southwest border crossings: El Paso, San Ysidro, and Otay Mesa, and expansion plans are being considered. In fact, our SENTRI team met with their Mexican counterparts last week to discuss expansion logistics.

We are also continuing to work to implement our agreement with Mexico to share advance passenger information. This reciprocal exchange of data with Mexico will have the same benefit that the exchange of such data with Canada has: allowing law enforcement officials in both countries to track the movement of individuals with known or suspected ties to terrorist groups or other criminal organizations.

With respect to cargo crossing our border with Mexico, in October 2003 we launched a pilot FAST program in El Paso. This pilot operates much like it does on the Northern Border, however because of the narcotics threat, we have instituted additional security measures to include a tamper resistant and evident container and we have required that the Mexican manufacturer be a C-TPAT member as well. If adequate security is achieved with this FAST pilot project at El Paso, particularly against drug smuggling, I expect that FAST will be expanded to other major commercial crossings on our border with Mexico.

We also continue to work to improve information exchange and on a possible joint system for processing rail shipments and on shared border technology.

Customs Invests in Infrastructure and Humans Resources to Counter Threats

New initiatives and a refocused mission were important elements in combating this new terrorist threat, but Customs new goals could not have been met without increasing the deployment of the detection technology and the number of personnel working at our nation's borders. This was especially critical for our Northern Border ports of entry where no large scale detection equipment

existed before 9/11. Staffing also was insufficient to do the security job without choking off the flow of commercial trucks and passenger vehicles.

Before 9/11, we had approximately 1,000 customs inspectors and 500 immigration inspectors on our shared 4,000 mile border with Canada. Most of the lower volume border crossings were not open 24 hours a day. There was no security when they were closed, other than an orange cone in the road. An orange cone was all that stood between a vehicle heading into the United States from Canada via a public, paved highway. That vehicle could be carrying terrorists or terrorist weapons, or it could be carrying a launching mechanism for a weapon - a car bomb, for example.

That was unacceptable. So, immediately after 9-11, I directed that all border crossings be staffed with two armed Customs inspectors 24/7. This human resource intensive effort was only a temporary measure—until these crossings were "hardened" and we were able to electronically monitor our low volume northern ports of entry to prevent unauthorized crossings. This meant installing gates, signs, lights, and remote camera surveillance systems, which we have done.

CBP has received significant staffing increases for the northern border, supported by the Administration. Today, we have over 2,900 CBP inspectors along the northern border, up from about 1,600 on 9-11. Soon after the Border Patrol joined Customs and Border Protection, CBP deployed 1,000 Border Patrol Agents to our Northern Border – on 9/11, there were only 385.

We have also bolstered our staffing on the southern border. We know that terrorists have and will use any avenue they can to enter our country. Prior to September 11th, we had 4,371 inspectional staff at the southern ports of entry. Today, we have almost 4,900 there. Our inspectors are also at our international airports and our seaports.

Hiring these personnel was no small feat. In the months following 9/11, Customs inspectors across the country were working unprecedented amounts of overtime, frequently far away from their families. The inspectors rose to the challenge without complaint, but they could not maintain those levels indefinitely. In response, Congress authorized hiring initiatives that resulted in the most aggressive hiring posture for Customs in years. In prior years, Customs hired about 400-500 inspectors and 100-200 agents annually. In the months following 9/11, the Customs Quality Recruitment (QR) team in our Human Resources Management Office had the responsibility for hiring more than 2,300 inspectors and agents in FY 2003. They did it.

Between May and July, 2002, QR representatives traveled to key northern border locations to conduct on-site screening and drug testing, leading to over 1,100 "same-day" tentative selection letters, and expedited clearances. The team also made several thousand offers to additional applicants to prepare for FY03.

Customs Office of Training and Development (OTD) Responds to Post 9/11 Priority Mission

Key to the success of these new officers was the appropriate training, especially anti-terrorism training for our frontline Customs inspectors. By October 2001, our Office of Training and Development (OTD), began to roll out anti-terrorism training to Customs personnel across the country, quickly developing and implementing new courses. Customs inspectors were trained to detect weapons of mass destruction, to ferret out bombs, and to interdict the biological and chemical weapons.

Customs aggressive campaign to recruit and hire hundreds of new inspectors and other personnel meant that the Office of Training and Development (OTD) began to work overtime to accommodate four times the number of recruits it was used to training every year. OTD and the Office of Anti-Terrorism brought managers and supervisors back to the classroom as well, challenging them with tabletop crisis scenarios—a car bomb on a busy bridge, the release of nerve gas in a crowded airport, and a container of radioactive material discovered in a dockyard. Field exercises in emergency situations came next, dress rehearsals for the real event.

"I doubt Customs has ever mounted a training effort of this dimension in so short a time," said Assistant Commissioner, Dr. Marjorie Budd. "But the determination of our staff, and the sense that we were on the front lines just as surely as anyone else, drove this office to outperform itself."

Customs Deploys Significant Technology to Support Anti-Terrorism Mission

After 9/11, Customs directed that the wearing of personal radiation detection devices was mandatory for all U.S. Customs inspectors on the frontlines, at all our ports of entry – our land borders, seaports and airports. Before that, the wearing of personal radiation devices (PRDs) had been voluntary; inspectors were not required to wear them. These radiation detection devices became an important tool to detect radioactive materials moving through a port of entry. When this direction was first given, there were 4,000 of the PRDs already in the field; today, there are 10,000 of these Personal Radiation Inspection Devices assigned to all CBP inspectors who are required to wear them.

We also added more sophisticated detection technology, such as large scale x-ray type machines that can scan an entire tractor trailer truck in a couple of minutes. This Non-Intrusive Inspection (NII) technology provides for a more effective and efficient, as well as less invasive, method of inspecting commercial trucks and cargo containers, compared with physically inspecting a container or truck, which can take several hours. Deploying NII technology to our Northern Border and at our seaports increased our ability to detect conventional explosives, nuclear weapons, and other terrorist weapons. NII equipment includes large-scale x-ray or gamma-ray imaging systems, portal radiation monitors, and a mixture of portable and handheld technologies to include personal radiation detection devices that greatly reduce the need for costly, time-consuming physical inspection of containers and vehicles, and provide us a picture of what is inside the container, truck or other vehicle.

There are now 24 such large-scale imaging machines deployed at all the significant commercial crossings between Canada and the United States. There were exactly zero on 9-11. Nationwide, we have increased the number of whole container x-ray-type machines from 45 on 9-11 to 134 today.

U.S. Customs Initiative to Attack Terrorist Financing: Operation Green Quest

In late September 2001, drawing upon the formidable expertise of Customs agents regarding money laundering investigations, U.S. Customs promptly proposed a joint, multi-agency task force, called Operation Green Quest to identify and disrupt terrorist financing networks. Operation Green Quest was launched in October, 2001, and an expert financial crimes team began to strike at individuals and organizations suspected of funneling money to terrorist organizations. This Customs-led operation was supported by the IRS, Secret Service, U.S. Postal Inspection Service, the Office of Foreign Asset Control (OFAC), FinCen, and other Treasury Department Bureaus as well as the FBI and the Department of Justice. Customs Special Agent Marcy Forman was named Director of Green Quest, and the operation immediately began its work with great success.

In coordination with Treasury/OFAC action to freeze the U.S. accounts of Al-Barakaat, a money-transfer network based in the Persian Gulf that siphoned profits to support Al-Qaida, the task force fanned out across the United States, seizing millions of dollars from franchises of Al-Barakaat. They also seized millions in undeclared currency being smuggled or shipped illegally overseas: a Federal Express package containing \$1 million destined for the Mideast, a suitcase with \$624,000 sewn into the lining, and \$16 million from a miscellaneous assembly of criminals intent on smuggling it through airports, seaports, and border crossings. Nine months later, the multi-agency task force had seized more than \$22.8 million in smuggled currency and monetary instruments.

Today, Green Quest's successors at the Bureau of Immigration and Customs Enforcement apply their considerable financial investigative skills to support terrorist financing investigations coordinated through the FBI-led Joint Terrorism Task Forces.

Monitoring Strategic Exports Through Project Shield America

Customs found great success in closing the avenues for terrorist funding, but it was also important to deprive terrorists of the weapons and strategic materials they needed to carry out their activities, which is why Customs also focused on strategic export control. In December 2001, Customs launched Project Shield America, an ambitious effort to enlist the support of U.S. manufacturers in the struggle to keep weapons of mass destruction, dual-use technology, and technological components out of the hands of America's enemies. Customs Special Agent Mike Vanacore, who headed the effort, and his team began reaching out to thousands of businesspeople across the country, enlisting Americans moved by the events of 9/11 in the campaign to strengthen export control. Project Shield America team also started to focus on biological and chemical threats.

"ONE FACE AT THE BORDER"

MARCH 1, 2003 TO PRESENT: STANDING UP THE DEPARTMENT OF HOMELAND SECURITY AND THE CREATION OF U.S. CUSTOMS AND BORDER PROTECTION

Establishing of the Department of Homeland Security is the most important organizational step here at home that President Bush and our nation have taken to address the ongoing threat of international terrorism, a threat that is likely to be with us for years to come. With our federal government's prevention, preparedness, and response capabilities now under one roof, in one department of government, and with that department under the outstanding leadership of Secretary Ridge, our nation is better able to deal with the terrorist threat.

Creation of the U.S. Customs and Border Protection (CBP)

On March 1, 2003, approximately 42,000 employees were transferred from the U.S. Customs Service, the Immigration & Naturalization Service, and APHIS to the new U.S. Customs and Border Protection, a new agency under the Border and Transportation Security Directorate within the Department of Homeland Security. The creation of U.S. Customs and Border Protection, or "CBP" is itself an important step in addressing the terrorist threat.

CBP is the largest actual merger of people and functions within the Department of Homeland Security. Indeed, about one-fourth of the personnel of DHS are housed within CBP. That is not surprising considering how important the security of our borders is to the security of our homeland.

Priority Mission and Traditional Missions

The priority mission of CBP is homeland security. For the unified border agency of our country, that means detecting and preventing terrorists and terrorist weapons from entering the United States. We are doing everything we reasonably and responsibly can to carry out that extraordinarily important priority mission.

We also continue to carry out the traditional missions of the predecessor agencies that make up U.S. Customs and Border Protection. These missions include, among others:

- seizing illegal drugs and other contraband at the U.S. border;
- apprehending people who attempt to enter the United States illegally;
- detecting counterfeit entry documents;
- determining the admissibility of people and goods;
- protecting our agricultural interests from harmful pests and diseases;
- regulating and facilitating international trade;
- collecting duties and fees - we collected over \$24 billion last year alone; and
- enforcing all laws of the U.S., including trade and immigration laws, at our borders.

Twin Goals

As U.S. Customs and Border Protection works to carry out its priority anti-terrorism mission and its traditional missions, we must do so without choking off the flow of legitimate trade and travel that is so vital to the nation's economy and to our openness as a nation.

As I described in earlier testimony, the need to balance security and facilitation was most graphically illustrated on September 12, 13, and 14, 2001, when wait times at our land borders skyrocketed from 10 or 20 minutes, to up to 12 hours at some of our major land border entry points. The border with Canada virtually shut down. To preserve the North American economy, we needed to reinvent the border. We needed a more secure border because of the terrorist threat, but we also knew that, as we added security, we needed to ensure the continued movement of legitimate cargo and people across our borders. It was clear that CBP's mission turned on twin goals: (1) increasing security and (2) facilitating legitimate trade and travel.

CBP has continued the many initiatives that began under the U.S. Customs Service to balance these two objectives, including the use of advance information, risk management, and technology, and by partnering with other nations and with the private sector. Using these principles, Customs, and now CBP has learned that security and facilitation are not mutually exclusive. Since 9-11, we have developed strategies and initiatives that make our borders more secure while simultaneously ensuring a more efficient flow of legitimate trade and travel.

THE MERGER – “ONE FACE AT THE BORDER”

To create CBP, on March 1, we took most of U.S. Customs and merged it with all of the immigration inspectors and Border Patrol from the former INS, and inspectors from the Department of Agriculture's Animal and Plant Health Inspection Service. This means that for the first time in our country's history, all agencies of the United States Government with significant border responsibilities have been unified into a single federal agency responsible for managing, controlling and securing our Nation's borders.

As U.S. Customs and Border Protection, we are creating, as Secretary Ridge has called it, "One Face at the Border:" one border agency for our country. In the 10 months following its creation, U.S. Customs and Border Protection has made significant strides toward unification. And America is safer and its border are more secure than they were when border responsibilities were fragmented among four different entities in three different departments of government, as they were before March 1, 2003, before the creation of the Department of Homeland Security.

Examples of that strength can be found in the actions of two inspectors – one from the former Customs and one from the former INS. In December 1999, Customs Inspector Diana Dean stopped an Al Qaeda terrorist, the millennium bomber Ahmed Ressam, at Port Angeles, Washington. As we all know, his plan was to blow up LAX. If you ask her, she will say that she was just doing her job – being alert to potential threats and asking well formed, well thought out questions to determine the true intent of those seeking to enter the U.S. Similarly, as we heard earlier, Immigration Inspector Jose Menendez Perez took the time to ask the right questions to

uncover that the story being presented to him by a Saudi Arabian national on August 4, 2001, did not make sense. He realized that this passenger likely had ulterior motives for entering the U.S., and in doing his job, he refused entry to a potential terrorist. Having both of these inspectors – and thousands of inspectors like them – working together, in the ranks of CBP, sharing their expertise and information can only make us stronger.

On March 1, 2003, CBP designated one Port Director at each port of entry and put in place a single, unified chain of command. This was the first time there has ever been one person at each of our nation's ports of entry in charge of all Federal Inspection Services. And in terms of an immediate increase in antiterrorism security, on Day One, all frontline, primary inspectors at all ports of entry into the United States were equipped with radiation detection devices. Since March 1, 2003, all inspectors have also received antiterrorism training. Customs had mandated this for all Customs inspectors in December 2001, but now it applied to all inspectors, including legacy immigration and agriculture inspectors at our borders.

Last year, we began rolling out unified CBP primary inspections, starting with U.S. citizens and Landed Permanent Residents, at international airports around the country. Unified primary means that the CBP inspector in the booth will conduct the primary inspection for all purposes – immigration, customs, and agriculture. Originally piloted at Dulles, Houston, JFK, Newark, LAX, Atlanta, Miami, San Francisco, it is now operational at all major international airports. This a major step forward in eliminating the process of travelers potentially having to "run the gauntlet" through three separate inspection agencies.

Although legacy customs and immigration inspectors have assumed interchangeable roles at the land border ports of entry for years, this is the first time unified primary is being done at our country's airports. Significant cross-training is being provided to our frontline inspectors to ensure effective implementation, and counter-terrorism training is creating a better understanding of terrorist issues and better referrals to the secondary area.

Along with unified primary, we have also developed and are implementing combined anti-terrorism secondary which leverages the expertise and authorities of both legacy customs and immigration to conduct a joint secondary inspection of passengers deemed high-risk for terrorism. CBP has also begun to coordinate and consolidate our passenger analytical targeting units. Again, this brings together the customs and immigration experience and authority to more effectively and efficiently identify and interdict individuals who pose a possible terrorist risk.

Symbols of Unification and The CBP Officer Position

In July 2003, we adopted and have begun rolling out a new CBP uniform and patch for all CBP inspectors at our Nation's ports of entry that will replace the three different customs, agriculture, and immigration inspectional uniforms and patches. The new uniform and patch represent our most visible unifying symbols to the American public. The new uniform is being implemented in four phases. In the first phase, completed as of October 1, 2003, all CBP managers and supervisors converted to the new uniform. Other CBP uniformed personnel will be phased in at various points over the next nine months, with implementation scheduled to be complete in six months, by July of this year.

All of these things are helping us unify and become more effective as an agency; however, our most significant step toward achieving "One Face at the Border" was announced by Secretary Ridge on September 2, 2003: the rollout of the new "CBP Officer" position. As of October, 2003, we stopped hiring and training legacy "immigration" or "customs" inspectors and began hiring and training a new group of "CBP Officers," who will be equipped to handle all CBP primary and many of the secondary inspection functions, in both the passenger and cargo environments. We are also deploying CBP Agriculture Specialists to perform more specialized agricultural inspection functions in both these environments.

Most Recent Training Offerings

Training is a very important component to the roll out of the CBP Officer. We have created a new 14 week, 71-day basic course that provides the training necessary to conduct primary processing and have a familiarity with secondary processing of passengers, merchandise, and conveyances, in all modes of transport - air, sea, and land. The new CBP Officer course was built from the 53-day basic Customs inspector course and the 57-day basic Immigration inspector course, with redundancies removed, and with additions to address anti-terrorism and CBP's role in agriculture inspection. The training also supports the traditional missions of the legacy agencies integrated in CBP. Our first CBP Officers were hired on September 22, 2003, and they immediately started training at the Federal Law Enforcement Training Center (FLETC).

Enhanced Security Between Ports of Entry

We know that securing the areas between the ports of entry is just as important as adding security at the ports of entry. A chain, after all, is only as strong as its weakest link. Terrorists, just like others who seek to enter the U.S. illegally, may attempt to enter through official crossings with counterfeit documents, or they may attempt to evade detection by crossing in areas between ports of entry in violation of U.S. law.

CBP's Border Patrol is responsible for patrolling those areas and, using sophisticated sensor technology, detecting attempts to enter the U.S. illegally between the ports of entry. Since March 1, 2003, the Border Patrol is a part of U.S. Customs and Border Protection. We are revising and refocusing the Border Patrol's national strategy, which had been principally focused on preventing the flow of illegal aliens and drugs crossing between ports of entry on our border with Mexico, to include an aggressive strategy for protecting against terrorist penetration, at both our northern and southern borders.

On 9-11, there were only 368 authorized positions for Border Patrol agents for the entire northern border. We are currently at 1,000 – a goal set by me very soon after March 1, 2003. This staffing increase will better secure our border against terrorist penetration. But we are doing more than just adding staffing. We are adding sensors and other technology that assist in detecting illegal crossings along both our northern and southern borders, including Remote Video Surveillance (RVS) systems. These RVS systems are real-time remotely controlled force enhancement camera systems, which provide coverage along the northern and southern land borders of the United States, 24 hours per day, 7 days a week. The RVS system significantly enhances the Border Patrol's ability to detect, identify, and respond to border intrusions, and it has a deterrent value as well. There are currently 238 completed Remote Video Surveillance (RVS) sites in operation; 170 along the southwest border and 68 along the northern border. An additional 224 installations are in progress.

Responding to the Air Threat

CBP continuously monitors all-source intelligence in order to respond to emerging terrorist threat information. When CBP and DHS received specific, credible intelligence regarding a possible threat of terrorist exploitation of the Transit Without Visa Program (TWOV) to conduct an attack on international commercial aviation, we moved quickly to address the threat. The concern was that terrorists may have been able to exploit security loopholes in the TWOV program. Under the TWOV program, citizens of countries who normally required a visa to enter the United States, were allowed to fly into and transit the United States without undergoing the visa issuance process and the security checks that the process entails. Accordingly, on CBP's recommendation, DHS and the Department of State moved quickly to suspend the TWOV program in response to the threat.

Currently, in order to ensure continued security of international air travel while balancing the facilitation needs of the airline industry, CBP is working with DHS, including TSA, as well as the Department of State and industry stakeholders, to review the TWOV and potentially develop a new, more secure program to replace it.

CBP Collects Biometrics

The National Security Entry Exit Registration System (NSEERS) was implemented on September 11, 2002. The NSEERS program requires certain nonimmigrant aliens from designated countries to be fingerprinted, interviewed and photographed at Ports of Entry (POEs) when they apply for admission to the United States. NSEERS enables the U.S. Government to better track certain individuals (of interest) entering and leaving the United States.

The collection of this biometric information has been an enforcement benefit for CBP. Under the NSEERS program, we have apprehended or denied admission to more than 1,150 aliens at our POEs. Of those, CBP has prevented the entry of 90 aliens for criminal reasons, 110 aliens for security reasons, 155 aliens for fraud or misrepresentation, the balance of the cases were apprehended for various immigration violations. As Secretary Ridge recently announced, the new United States Visitor and Immigrant Status Indication Technology (USVISIT), discussed immediately below, provides us with much of the biometric information now collected during the NSEERS registration process. We will continue to work with the Department of Homeland Security to harmonize these reporting requirements.

United States Visitor and Immigrant Status Indication Technology (US-VISIT)

The Department of Homeland Security's newest border security tool is the recently launched United States Visitor and Immigrant Status Indication Technology, or US-VISIT program. US-VISIT is a tool that enhances our nation's security while facilitating legitimate travelers coming into the U.S. Using biometrics – two digital, inkless finger scans and a photograph – US VISIT verifies the identity of passengers seeking admission to the U.S. As of January 5, 2004, all foreign visitors traveling to the U.S. who are required to have visas have their two index fingers scanned and a digital photograph taken at the port of entry to verify their identity. The US VISIT program enhances security by providing more complete data about the travelers while at the same time it facilitates legitimate travel and trade by leveraging technology and the evolving use of biometrics to expedite processing at our borders.

US VISIT is part of a more comprehensive system that begins overseas, where the Department of State collects biometrics at the time of visa application. Currently, 55 posts are capturing digital finger scans, and all 211 visa-issuing posts will be operational by October 2004. These biometrics are then run against a database of known or suspected criminal and terrorists. When the visitor gets to the border, CBP uses the same biometrics – these digital fingerscans – to verify that the person at our port is the same person who received the visa. In addition, US VISIT provides the digital photograph taken at the time of visa issuance to the CBP officers on primary. And it works. We already know that these new procedures make it much difficult for criminals or terrorists to use fraudulent documents to illegally enter the U.S. The biometrics also reveal the true identities of individuals who are using, or have in the past, used an alias. This type of identity verification helps our CBP officers make admissibility decisions and enhances the overall integrity of our immigration system.

On January 5, 2004, US VISIT became operational at 115 of our nation's international airports and 14 of our largest passenger ship seaport locations. Since that time, we have processed more than 600,000 passengers through US VISIT, and had 39 "hits" on the biometrics. An example of a criminal violator detected by US-VISIT is a 10-year fugitive wanted on a New York warrant for vehicular homicide apprehended at JFK. Although he was traveling under an alias that was not entered into any of our databases, he was identified in US VISIT through a biometrics match. A similar scenario arose in Miami where we apprehended a fugitive who had been convicted and was wanted on sentencing for statutory rape of a victim under 17. One fugitive had entered the U.S. over 60 times in the past four years under assumed names and dates of birth. I assure you there are other similar successes that have demonstrated the importance of US VISIT as a new law enforcement and homeland security tool.

Another success of US VISIT is that this increased security has not come at the price of open borders. We have not seen significantly increased wait times at the airports since the implementation of the program. In fact, our response times thus far are better than we had predicted. Though we had prepared for a system response time of 15 seconds, on average that response actually takes 7.87 seconds – very close to half of the original projection.

We are not stopping at airports and seaports. Consistent with statutory requirements, the US VISIT system will be comprehensive in scope, expanding to the 50 busiest land ports of entry by December 31, 2004 and then to all land ports by December 31, 2005. US VISIT is but a first step in the Department's goal of reforming our borders. It will take time and investment to achieve the goals of the program and ensure integrity in our immigration system.

The identity of visitors who need a visa to travel to the U.S. will be verified upon their arrival and departure. These entry and exit procedures address our critical need for tighter security and our ongoing commitment to expedite travel for the millions of legitimate visitors we welcome each year to conduct business, learn, see family, or tour the country.

Comprehensive Strategy to Address Nuclear and Radiological Terrorism

One of the greatest terrorist threats is the threat of nuclear and radiological terrorism - nuclear devices and RDDs, or so-called "dirty bombs." This threat, particularly the threat of nuclear devices, is largely an external one - meaning terrorists would likely have to bring or ship the device across our borders and into this country.

This past year, CBP developed a Comprehensive Strategy for addressing that threat. Our plan focuses on several components, one of which is maintaining a secure border at our ports of entry that is capable of detecting potential nuclear and radiological devices.

CBP's current deployment of radiation detection technology includes: over 10,000 personal radiation detectors, or PRDs, over 300 radiation isotope identifiers; and over 190 radiation portal monitors deployed so far. It should go without saying that we must and are continuing to steadily increase our deployment of radiation detection technology, but what we have today is a vast improvement over what we had on 9-11.

Chemical/Explosive Detection Dogs

Another terrorist threat is the threat of explosives and chemicals that could be used as terrorist weapons coming across our borders. For years, CBP has used canines to detect illegal drugs and even cash, but after 9-11, we began training dogs to detect explosives and chemical weapons of mass destruction. These talented dogs are an important resource in our antiterrorist efforts. And on 9-11, this resource did not exist - we had no chemical/ explosive detection dogs at our ports of entry.

Conclusion

The efforts I have talked about today are the result of this Administration, this Congress, and the leadership of the Under Secretary of the Border and Transportation Security Directorate, Asa Hutchinson, and of Secretary of the Department of Homeland Security, Tom Ridge. The creation of DHS and the unification of the border agencies within CBP and the joining of CBP with TSA and ICE under the BTS Directorate are among the most significant of those efforts. They enable us to have a more comprehensive and effective strategy as we press forward with our many initiatives for protecting and securing America's borders.

Robert C. Bonner was nominated by President George W. Bush to serve as Commissioner of the United States Customs Service on June 24, 2001. Following Senate confirmation, he was sworn in as the 17th Commissioner of U.S. Customs on September 24, 2001.

On March 1, 2003, Commissioner Bonner became the first head of the Bureau of Customs and Border Protection (CBP), a new agency within the Department of Homeland Security's Border and

Transportation Security Directorate. Under the legislation creating the Department of Homeland Security, he continues to hold the title Commissioner of Customs.

CBP brings together all border agencies of the United States by uniting U.S. Customs, the Border Patrol, and the immigration and agriculture border inspection programs, formerly within the Immigration and Naturalization Service and the Department of Agriculture, respectively.

Commissioner Bonner brings a highly distinguished record of public service to U.S. Customs and Border Protection. He has served as the United States Attorney for the Central District of California, as a United States District Judge, as the Administrator of the DEA, and Commissioner of Customs.

Commissioner Bonner is a graduate of the University of Maryland and the Georgetown School of Law. After clerking for a U.S. District Judge, he served for three years on active duty in the United States Navy, Judge Advocate General's Corps. Following his service in the military, Commissioner Bonner was an Assistant United States Attorney in Los Angeles before turning to private practice in 1975. In 1984, Commissioner Bonner returned to public service after he was appointed by President Reagan to be the United States Attorney for the Central District of California (1984-1989). He was subsequently appointed by former President George Bush in 1989 to serve as United States District Judge, U.S. District Court for the Central District of California (1989-1990). Former President Bush went on to appoint him as Administrator of the DEA in 1990 (1990-1993). Immediately prior to assuming his duties at U.S. Customs, Commissioner Bonner was a partner in the law firm of Gibson, Dunn & Crutcher.

Commissioner Bonner is a fellow of the American College of Trial Lawyers and a past president of the Federal Bar Association, Los Angeles Chapter. He was the Chairman of California's Commission on Judicial Performance (1997-99), and is a member of the California and District of Columbia bars. He also served on the Board of Directors of the Los Angeles Chamber of Commerce.