



TESTIMONY OF

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BEFORE

House Committee on Homeland Security  
Subcommittee on Border Security, Facilitation, and Operations

ON

“FY 2020 Budget Hearing - U.S. Customs and Border Protection”

May 9, 2019  
Washington, DC

Chairwoman Rice, Ranking Member Higgins, and Members of the Subcommittee, it is an honor to appear before you today. As America's unified border agency, U.S. Customs and Border Protection (CBP) protects the United States from terrorist threats and prevents the illegal entry of inadmissible persons and contraband, while facilitating lawful trade and travel. The President's Fiscal Year (FY) 2020 Budget includes \$18.2 billion in net discretionary funding and an additional \$2.6 billion in mandatory and offsetting fee funding that will help CBP achieve our complex and vital mission with the right combination of trained and dedicated personnel, intelligence-driven and risk-based strategies, collaborative partnerships, tactical infrastructure, and advanced technology. Nearly a third of this amount, \$5.9 billion, is for critical investments that will advance CBP's goals across all of our mission areas.

Over the past year, we have made significant strides across every area of our mission. We facilitated record levels of lawful trade and travel, inspecting more than 413.9 million travelers – a 4.2 percent annual increase from the previous year. We interdicted increasing quantities of hard narcotics, including the largest seizure of fentanyl in CBP history at the Nogales, Arizona, Port of Entry (POE). That seizure was 254 pounds, or more than 100 million lethal doses. We enhanced screening and vetting, including advancements in cargo and conveyance screening technology that provides CBP with a significant capacity to detect dangerous materials and other contraband. We continued to implement the *Trade Facilitation and Trade Enforcement Act* (TFTEA, Public Law No: 114-125). And we remained committed to ensuring that our officers and agents are safe as they carry out their critical duties, and have the best training, policy, and equipment. Across the board, CBP continues to do difficult work in a complex and dynamic environment, and needs a range of investments to secure our nation against 21<sup>st</sup> century threats. The funds included in the FY 2020 Budget support our critical mission initiatives in four strategic priority areas: border security, trade and travel, counterterrorism, and organizational objectives.

Before discussing in detail the President's 2020 Budget, I would like to thank the Subcommittee for its support of CBP priorities in the *Consolidated Appropriations Act 2019* (Public Law No: 116-6), to include funding increases for humanitarian aid, staffing at our POEs, Non-Intrusive Inspection (NII) equipment and other border security technologies. We are eager to put this funding to work to improve our nation's security and facilitate lawful trade and travel. I ask Congress to support our FY 2020 Budget submission, which will allow our frontline personnel to do their jobs and carry out our critical missions to keep our nation safe and prosperous.

As the Subcommittee is aware, the FY 2020 Budget builds on the FY 2019 President's Budget and continues the important efforts enacted in FY 2019, as well. In a number of key areas, the FY 2019 enactment diverges from the FY 2019 President's Budget, both in terms of funding levels and limitations on where and how CBP can use the funding provided. The FY 2019 appropriations act does not fully fund our most critical needs for border wall system construction nor the hiring of additional Border Patrol agents, which deviates from the requirements identified by our Agents on the frontline. Accordingly, the Administration continues to seek Congressional support for these priorities.

In addition, the FY 2019 appropriations act provides significant investments in humanitarian aid in response to a substantial increase in illegal crossings by family units and unaccompanied children, and arrivals of inadmissible persons at POEs across the entire southwest border. I want to express my appreciation for the support of this initiative and for the \$415 million in FY 2019 funds for facilities, medical care, transportation, and consumable commodities to help CBP care for those in its custody. We are executing those funds now and, while we are sustaining these efforts with \$82.2 million in the FY 2020 Budget, we look forward to a dialogue with you on how best to meet our evolving requirements at the southwest border. CBP must continue to adapt to the dynamic border environment while continuing to provide humane treatment for migrants we encounter.

This situation on the border with unprecedented numbers of families and children represents an acute and worsening crisis. At the end of March, FY 2019, the U.S. Border Patrol has seen more than a 370 percent increase in the number of family units apprehended compared to the same time period in FY 2018. We are continuing to monitor the ongoing crisis at the border and will keep the Congress apprised of the evolving situation.

Returning to the details of the FY 2020 Budget, our strategic priorities include \$5.6 billion for border security; \$188.4 million for trade and travel facilitation and enforcement; \$31.5 million in support of the National Vetting Enterprise; and \$74.3 million for organizational initiatives that will help CBP meet future challenges and opportunities. These investments will enhance border security, enforce the Nation's immigration laws, promote public safety, minimize the threat of terrorist attacks by foreign nationals, maintain our ability to provide critical emergency response support to our DHS Component partners, and protect American workers from unfair foreign competition.

## **Border Security**

CBP guards the frontline of the United States, and our border security mission—at POEs, along our borders, and from the air and sea—is a matter of national security. At the border, we face alarming trends in illegal crossings that impact security, exploit our laws, and challenge our resources and personnel. We are seeing increases in illegal crossings and arrivals of inadmissible persons at POEs across the entire southwest border. In FY 2018, CBP recorded 404,142 apprehensions by U.S. Border Patrol (USBP) agents along the border and 279,009 inadmissible cases by CBP officers at U.S. POEs— an approximately 15 percent increase between ports of entry over the previous year. CBP personnel also played a critical counter-narcotics role, seizing or contributing to the seizure of 1.1 million pounds of marijuana; 282,570 pounds of cocaine; 248,132 pounds of methamphetamine; 6,552 pounds of heroin; and 2,463 pounds of fentanyl.

There are three primary elements of border security: infrastructure, technology, and personnel. The FY 2020 Budget proposes new investments in all three elements, including the border wall system, as well as technology and equipment that keeps CBP personnel safe and allows them to more effectively and efficiently carry out their missions. All three components are necessary to safeguard and manage air, land, and maritime borders.

## *Infrastructure*

Tactical infrastructure, including physical barriers between the POEs, has long been a critical component of CBP's multi-layered and risk-based approach to securing our southwest border. It is undeniable that border barriers have enhanced—and will continue to enhance—CBP's operational capabilities by creating persistent impedance and facilitating the deterrence and prevention of successful illegal entries. CBP plans to deploy a border wall system in a multi-phased and prioritized approach that meets USBP's operational requirements, safeguards national security and public safety, and is the result of thorough analysis of threat, cost, and mission effectiveness. Border wall systems are comprehensive solutions that include a concentrated combination of various types of infrastructure such as physical barriers, all-weather roads, lighting, sensors, enforcement cameras, and other related technology, and contribute to USBP's core master capability of impedance and denial. The FY 2020 Budget includes \$8.6 billion for the border wall, including \$5.0 billion for DHS to support the construction of approximately 200 miles of new border wall system. This funding supports real estate and environmental planning, land acquisition, wall system design, construction, and construction oversight.

Infrastructure investments also include facilities used by our workforce at and between POEs. Constructing and improving CBP's physical infrastructure is essential to keeping facilities operationally viable for frontline and mission support functions. CBP supports a vast and diverse real property portfolio, including more than 4,300 owned and leased buildings, over 28 million square feet of facility space and approximately 5,000 acres of land throughout the United States.

The FY 2020 Budget includes \$127.4 million for the construction, modernization, and expansion of Border Patrol, Air and Marine Operations (AMO) and Office of Field Operations (OFO) facilities. Of the \$127.4 million total, the FY 2020 Budget includes \$84.2M for the Border Patrol, which provides \$22.0 million for a Border Patrol checkpoint in Freer, Texas; \$15.0 million for the Carrizo Springs, Texas, checkpoint; \$15.0 million for the Eagle Pass, Texas, south checkpoint; and \$15.0 million for a Forward Operating Base in Papago Farms, Arizona. It also includes \$14.2 million for minor construction, alternations, and improvement projects at Border Patrol facilities and \$3.0 million for design efforts.

Of the \$127.4 million construction total, \$6.0 million is provided to co-locate AMO's Corpus Christi Marine Unit at the U.S. Coast Guard's (USCG) existing property at Port Aransas, Texas. USCG's current facility is being rebuilt due to damages incurred during the 2017 hurricane season and provides a new location for CBP that is closer to our operational watercraft.

Further, the FY 2020 Budget includes \$14.8 million to continue modernizing our POEs with capital improvements, furniture, fixtures, and equipment to ensure the facilities meet mission and security requirements. Also included is \$22.4 million to support OFO expansion activities at the John F. Kennedy International Airport in New York. An important area for future collaborative work with the Committee will be on modernizing and right-sizing US Border Patrol and Air and Marine Operations facilities in response to growing and changing missions.

## *Technology and Equipment*

CBP's border security mission regularly requires that Border Patrol agents and CBP officers operate in diverse and remote locations where tactical communication, transportation, and surveillance capabilities are essential to coordinating mission activities and protecting the safety of CBP law enforcement personnel. The FY 2020 Budget will enable the continued deployment of proven, effective technology and equipment to strengthen border security operations in the land, air, and maritime environments.

### *Land*

For our land-based border operations, technology and equipment are force-multipliers that enhance our agents' and officers' abilities to detect and respond to illegal activity. Fixed systems provide persistent surveillance coverage to efficiently detect unauthorized border crossings. Once detection is confirmed, Border Patrol can quickly deploy the appropriate personnel and resources to interdict the item or person of interest. The Budget supports these critical assets by including \$1.1 million for procurement and deployment of Integrated Fixed Tower (IFT) technology, which consists of surveillance radars and electro-optical/infrared (EO/IR) cameras mounted on fixed towers with communications to an operations center. In some areas along the southwest border, USBP also uses Unattended Ground Sensors (UGS), which provide short-range, persistent surveillance. The FY 2020 Budget includes a procurement of approximately 8,900 UGS units and support equipment at \$20.6 million.

Remote Video Surveillance Systems (RVSS) are fixed technology assets used in select areas along the southwest and northern borders. These systems provide short-, medium-, and long-range persistent surveillance mounted on stand-alone towers, or other structures. The RVSS uses cameras, radio, and transmitters to send video to a control room. This enables a control room operator to remotely detect, identify, classify, and track targets using the video feed. The FY 2020 Budget includes \$40.7 million for deployment of upgraded RVSS technology to 22 sensor towers and command control technology at Brownsville (five new and five existing) and Fort Brown (nine new and three existing) Stations in the Border Patrol's Rio Grande Valley (RGV) Sector. This investment will enhance the Border Patrol's situational awareness of border activity through persistent surveillance and detection to facilitate proper law enforcement resolution. The FY 2020 Budget also includes an additional \$17.9 million to sustain RVSS.

In areas where rugged terrain and dense ground cover may limit the effectiveness and coverage of fixed systems, USBP also uses mobile and relocatable systems. Mobile Video Surveillance Systems (MVSS) consist of short- and medium-range mobile surveillance equipment mounted on USBP vehicles. The Budget includes \$14.8 million to procure and deploy 30 MVSS.

Investments in the deployment and sustainment of border security technology such as IFT, RVSS, MVSS, and UGS will significantly strengthen CBP's ability to detect, identify, classify, and track illicit activity.

The Budget also includes \$15 million for the procurement of 50 Small Unmanned Aircraft Systems (sUAS). The Border Patrol requires sUAS capabilities to conduct surveillance in

remote, isolated, and inaccessible portions of the nation's borders. The sUAS provides ground reconnaissance, surveillance and tracking capabilities in support of USBP surveillance tasks of predicting, detecting, tracking, identifying, and classifying suspected items of interest. An additional \$1.7 million is also provided for sUAS operations and maintenance. The ability to persistently and discreetly surveil remote areas along portions of the border is critical to USBP's ability to secure the border. To keep pace with 21<sup>st</sup> century technology, the Budget includes a further \$12.1 million to enable Remote Surveillance Technology Innovation.

The Budget also provides \$3.2 million in operations and maintenance costs for the Cross Border Tunnel Threat (CBTT) program. The CBTT program strengthens border security effectiveness between POEs by diminishing the ability of transnational criminal organizations (TCOs) to gain access into the United States through cross-border tunnels and the illicit use of underground municipal infrastructure. This effort helps CBP predict potential tunnel locations; detect the presence of suspected tunnels and tunneling activities, and project the trajectory of a discovered tunnel; confirm a tunnel's existence and location through mapping measurement; and facilitate secure information sharing across all stakeholders.

The CBP mission is dangerous, and CBP personnel can encounter situations requiring the use of force. As such, it is vitally important that CBP law enforcement personnel are equipped with properly functioning weapons. The FY 2020 Budget provides \$19.4 million to continue CBP's transition to the new 9mm service weapon. In 2019, 95 percent of all CBP service handguns will exceed the expected service life, resulting in an increased hazard rate for service handguns and exhausting the current reserve inventory. This funding will provide overall mission support associated with new training mandates related to the handgun transition and overall requirements associated with the acquisition of 9mm duty handguns, ammunition, replacement parts, and holsters.

Investments in opioid detection equipment and safeguards are essential for ensuring the safety of our employees and for combatting the opioid crisis gripping our nation. In January of this year, CBP officers at the Nogales Commercial Facility seized the largest amount of fentanyl in CBP history. Opioids—particularly fentanyl and its analogs – present significant dangers to first responders, including CBP officers, Border Patrol agents, and their K-9 partners. The Budget provides \$8.9 million for presumptive testing devices and related training, and naloxone countermeasure units and related training for OFO. It also includes an increase of \$7.1 million for chemical analysis software and equipment for 24/7/365 narcotics reach-back services, laboratory instrumentation, satellite border laboratory locations, and digital forensics workspace and equipment. This funding will maintain OFO's safety stance for POEs and enhance CBP's Laboratories and Scientific Services (LSS) Directorate's capabilities and capacity.

Additional technology funding includes \$18.8 million for the Border Enforcement Coordination Network, which will replace Border Patrol's legacy Border Patrol Enforcement Systems.

#### *Air*

The FY 2020 Budget also seeks significant investments in our aircraft fleet, starting with \$56.8 million to purchase two multi-role enforcement aircraft (MEA). MEA are the optimal

sensor-equipped aircraft for surveillance operations in regions along the southern and northern borders, and maritime environments where terrain, weather, and distance pose significant obstacles to border security operations. This aircraft further serves as a force multiplier for law enforcement and emergency response personnel, facilitating the rapid-response deployment of equipment, canines, and people.

The FY 2020 Budget includes \$46.5 million to support the conversion of three Army HH-60L helicopters to CBP's UH-60 Medium Lift Helicopter (MLH) configuration. These assets are the only helicopters with medium lift capability that are rugged enough to support interdiction and life-saving operations in hostile environments, and are able to operate at high altitude in the desert, over open water, and in extreme cold. This request includes initial spare repair parts, training, and Army testing.

The P-3 Long Range Tracker and Airborne Early Warning Aircraft provide critical detection and interdiction capability in both the air and marine environment. Their sophisticated sensors and high endurance capability greatly increase AMO's range to counter illicit trafficking, and CBP P-3s are an integral part of the successful counter-narcotic missions operating in coordination with the Joint Interagency Task Force-South. The FY 2020 Budget includes \$8.1 million to address obsolescence issues in the P-3 by refreshing technology infrastructure of core critical detection and interdiction components.

Aircraft sensor EO/IR systems provide improved detection and identification capabilities, greater standoff ranges for more covert operation and safety, and have laser range finders, laser target illumination, and shortwave infrared functionality, which enhance mission coordination between airborne and ground agents. The EO/IR systems allow agents and investigators to view and record criminal activity for prosecution without alerting the suspects to their presence. Most of AMO's EO/IR systems are technologically outdated and have obsolescence issues, which causes maintenance and reliability issues. The FY 2020 Budget provides \$13.5 million to replace up to ten old, obsolete EO/IR systems, including a one-time purchase of high-bandwidth receive/transmit hardware, which supports transmission of motion video information and enables CBP to communicate simultaneously with multiple aircraft. Without this upgrade, CBP aircraft will have to share assets, thereby increasing the risk of damage to the sensors during system swap-outs. This funding increase will also enable the purchase of associated mission equipment that will ensure the continued viability of AMO assets to detect, identify, classify, track, and illuminate targets of interest to national security.

Other investments in our aircraft fleet include \$2.4 million for support services for Light Enforcement Aircraft programs to develop analytical products to determine future technology requirements, and \$3.0 million for compliance with the Federal Aviation Administration's NextGen initiative, completing the phased-in purchase and installation of ADS-B transponders and cockpit displays in more than 250 AMO aircraft.

### *Maritime*

AMO's Marine Interdiction Agents operate Coastal Interceptor Vessels (CIV) in coastal waters to combat maritime smuggling and defend the waterways along our nation's borders from acts of

terrorism. The vessels provide agents with additional speed and maneuverability, and improve safety. They are also equipped with a state-of-the-art marine navigational suite. The FY 2020 Budget provides \$14.8 million for the procurement of 14 CIV that will replace the outdated legacy vessels. The Subcommittee's support of this program with the enactment of \$14.5 million for CIV procurements in FY 2019 is very much appreciated.

### *Innovation Team*

In October 2018, CBP formally established the CBP Innovation Team (INVNT). This team was established following a successful CBP pilot to transition commercial technologies in joint partnership with DHS S&T's Silicon Valley Innovation Program. INVNT's mission is to identify, adapt, and deliver innovative and disruptive commercial technology solutions to keep front-line personnel safer and more effective. The team invests in four areas: autonomous platforms; artificial intelligence driven analytics; sensors; and communications capabilities. INVNT has successfully transitioned multiple technologies, including autonomous towers, compact sensors, and big data analytics, into operational use. These capabilities are directly contributing to increased situational awareness in San Diego Sector and supporting the National Targeting Center with the development of algorithms that facilitate lawful trade and travel.

CBP INVNT has established itself as a strong partner for industry, and CBP looks forward to continued support from the Committee to enable us to increase the rate at which CBP transitions new technology into operational use.

### *Personnel*

An organization is only as good as its people, and CBP has made it the top mission support priority to attract, hire, train, retain, and support a world-class, resilient workforce.

Through a combination of process changes, realignment of resources and leadership focus, CBP increased both Border Patrol and Office of Field Operations year-end strength for the first time in 6 years. Border Patrol Agent hiring increased by 95 percent and CBP Officer hiring increased by 39 percent over FY 2017, resulting in an additional 120 Agents and 380 Officers at the end of FY 2018. On the non-frontline side, we also increased hiring by 17 percent.

We continue to retool and upgrade our recruitment, hiring, and retention mechanisms to help us meet staffing requirements not just to secure the border, but also to address all critical emergent needs at the ports. In just the last year, CBP has opened permanent recruitment offices on multiple military installations across the country, enhanced data-driven digital advertising/marketing and social media efforts, implemented an "applicant care" initiative that helps guide recruits through the CBP hiring process, and launched a Fast Track process to move well-qualified candidates more quickly through the hiring process. We also launched several initiatives designed to increase workforce resilience and employee retention, including our new veteran support program, family outreach events, and multiple family support programs, such as the child care subsidy program, backup care program, and direct child care program. Our investments are starting to deliver positive, sustainable results, and in FY 2018, hiring outpaced

attrition for Border Patrol Agents for the first time in six years. We will continue to further enhance our capabilities and build on our momentum through FY 2020 and beyond.

The FY 2020 Budget includes an increase of \$164.5 million to hire, train, and equip 750 additional Border Patrol agents and 145 mission support personnel. Staffing Border Patrol Sectors at operationally required levels is fluid as threats change and TCOs adopt new tactics. Even as the Border Patrol continues to conduct staff analysis and develop models to refine Border Patrol personnel requirements, it is already clear that additional Border Patrol agents will be necessary in FY 2020 just to meet today's operational and staffing requirements. Anticipated trends, coupled with currently heightened enforcement efforts, result in a clear requirement for additional Border Patrol agents to interdict illegal activity in an all-threats border environment.

CBP is also actively working to minimize attrition and fill positions in "hard-to-fill" locations that are often remote and offer very limited amenities compared with metropolitan locations. We appreciate the Subcommittee's support of Border Patrol's relocation and retention initiatives, including those aimed at helping fill mission-critical vacancies and developmental assignment opportunities. Improving retention is a priority for both the Secretary and me, and, as described above, we will continue to look at novel approaches to best support and retain our valuable workforce.

## **Trade and Travel**

Advancing U.S. economic competitiveness and prosperity is a strategic priority for CBP, and facilitating lawful trade and travel is a crucial part of CBP's mission. Ensuring an efficient, secure supply chain and safe, strong global tourism is imperative for a healthy economy. In FY 2018, CBP processed more than \$2.6 trillion in imports, and collected approximately \$47 billion in duties, taxes, and fees—an increase from the previous fiscal year, caused in part by the increased duties on steel, aluminum, and products from China.

In the FY 2019 budget CBP received an increase of approximately \$520 million for the procurement of non-intrusive inspection (NII) technology at land border ports of entry. The funding will support system procurements as well as the implementation of new concepts of operations that are focused on significantly improving scanning rates of both commercial and privately owned vehicles. The procurements will occur following successful completion of technology demonstrations at southwest border ports of entry. The focus is not just to replace aging systems, but to transform port operations in order to expertly facilitate legitimate travel and trade, while successfully interdicting deadly fentanyl and other contraband.

The FY 2020 Budget continues substantial investment in NII technology that enables CBP to detect materials that pose significant economic and national security threat. Using NII imaging equipment, CBP officers can examine cargo conveyances such as sea containers, commercial trucks, and rail cars, as well as privately owned vehicles, for the presence of contraband without physically opening or unloading them. NII technologies—both radiological detection and imaging – are force multipliers that enable CBP to screen or examine a larger portion of the stream of commercial traffic while facilitating the flow of legitimate trade, cargo, and passengers.

The FY 2020 Budget provides \$62.6 million to support procurement of more than 20 large-scale NII systems and approximately 200 small-scale NII systems for recapitalization efforts as well as new systems to support operational needs. It also provides \$8 million for the procurement of approximately three large-scale NII and three small-scale NII systems as well as the associated infrastructure to support operational requirements at the Gordie Howe International Bridge land POE. Also for the Gordie Howe International Bridge, the FY 2020 Budget designates \$12 million for the procurement and deployment of Land Border Integration Equipment and Z-Portal screening technology to support inspection requirements for bus, privately- and commercially-owned vehicles lanes, along with booths and infrastructure.

Utilizing detection equipment deployed nationwide at our POEs, CBP is able to scan 100 percent of all mail and express consignment mail and parcels; 100 percent of all truck cargo and personally owned vehicles arriving from Canada and Mexico; and nearly 100 percent of all arriving maritime containerized cargo for the presence of radiological or nuclear materials. Let me take this opportunity to express further appreciation for the Subcommittee's decision to add \$520 million to our FY 2019 funding for NII.

The FY 2020 Budget also requests an increase in funding for a combined 267 CBP officers, agriculture specialists, trade and revenue positions, and mission and operational support positions. This funding will help CBP move closer toward the necessary staffing levels identified in the OFO Workload Staffing Model, Agriculture Resource Allocation Model, and the new Mission and Operational Support Resource Allocation Model.

CBP's intelligent enforcement efforts are anchored on further improving risk management and the impact of efforts to detect high-risk activity, deter non-compliance, and disrupt fraudulent behavior by using technology, big data, and predictive analytics. Through the use of data-driven operations and enhanced ability to collect and analyze information, CBP can better develop a holistic understanding of the global trade environment. To better protect U.S. consumers and businesses, the FY 2020 Budget includes \$24.3 million to increase intelligent enforcement.

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. The FY 2020 Budget continues to build on our progress and will enable CBP to hire additional staff to support continued TFTEA implementation.

### **National Vetting Enterprise and Countering Transnational Organized Crime**

Since CBP's creation after the tragedies of September 11, 2001, preventing the travel of bad actors to the U.S. has been a primary CBP objective. Our nation's enemies, whether terrorists or criminals, remain determined and agile, and detection is paramount for our national security.

In 2018, in order to unify and streamline the vetting of international travelers and visa and immigration benefit applicants, the President signed National Security Presidential Memorandum 9, *Optimizing the Use of Federal Government Information in Support of the National Vetting Enterprise*, establishing the National Vetting Center (NVC). Consistent with applicable law and

policy, the NVC ensures that traveler and immigration populations are consistently vetted against all appropriate U.S. government information to identify national security and public safety threats. The FY 2020 Budget includes \$31.5 million to fund 20 full-time positions, a case management tool, targeting system enhancements, and systems engineering for the NVC, which will be co-located with the National Targeting Center.

In addition to our vetting efforts, CBP also guards against threats from TCOs. TCOs maintain a diverse portfolio of crimes, including fraud, human trafficking, kidnapping, and extortion. They are also heavily involved in human, weapons, bulk cash, and drug smuggling through their sophisticated criminal networks.

Part of CBP's strategy to counter TCOs is participation in joint task forces. CBP is the lead component for the Department of Homeland Security's Joint Task Force-West (JTF-W), and a participating Component in JTF-East (led by USCG) and JTF-Investigations (led by U.S. Immigration and Customs Enforcement). The FY 2020 President's Budget will further enhance JTF-W's ability to execute counter-network operations by meeting JTF-W's intelligence and targeting team's travel requirements and by providing investigative case support with the purchase of new forensic equipment and investigative software. This funding will help ensure these unique collaborative efforts have the resources they need.

### **Organizational Initiatives**

The FY 2020 President's Budget dedicates \$54.9 million in critical investments to organizational initiatives, which will enable CBP to mature and develop our capabilities and business processes to meet the challenges of tomorrow.

#### ***Modernization and Improvement***

Revenue Modernization is a multi-year, phased program that will benefit the trade and travel industries and the U.S. economy by simplifying the collections process, providing modern electronic billing and payment options, and creating operational efficiencies at the POEs. The purpose of Revenue Modernization is to free up CBP officers to focus on law enforcement duties rather than the labor-intensive process of collecting fees at POEs; to offer modern, online, and electronic billing and payment options; and to enable access to reliable, transaction-level financial information to inform decision-making and promote accountability.

The FY 2020 Budget includes \$15.7 million to increase electronic payment capabilities into collections processes, modernize Intra-Governmental Payment and Collection (IPAC) system collections, and expand the location and collection capabilities of the Mobile Collections and Receipts (MCR) project. Initially deployed to pilot participants in New Orleans, Louisiana; Gulfport, Mississippi; Mobile, Alabama; and Los Angeles/Long Beach, California sea POEs, the Budget will enable MCR to expand to 84 out of 186 POEs.

While technology and network-enabled capabilities significantly enhance CBP's daily operations, it also increases CBP's vulnerability to cybersecurity incidents. The FY 2020 Budget allocates \$25.0 million to address high-risk internal cybersecurity, including hardware, software, monitoring tools, and contract support services to operate the CBP Security Operations Center

(SOC). The SOC enables CBP to support Continuous Diagnostics and Mitigation of security vulnerabilities and to detect and respond to cybersecurity threats.

In the theme of modernization, CBP is also seeking to transform its timekeeping system. CBP processes timekeeping in the CBP Overtime Scheduling System (COSS), which came online in 1998. The President's FY 2020 Budget supports retirement of the antiquated COSS and replace it with a modern, integrated scheduling and timekeeping solution. This modern system will provide comprehensive and accessible scheduling and timekeeping data.

### ***Personnel and Mission Support***

CBP's Operations Support (OS) Office brings together experts, analysts, innovators, and facilitators from across nine functional areas that directly support the operational offices to strengthen mission effectiveness. These specialized capabilities that OS provides play a critical role in making a more agile, innovative, and stronger CBP. Integrating across the OS functional areas—including intelligence, international affairs, planning, requirements development, incident coordination, laboratories and scientific services, and use of force—is essential to fully support CBP's operational office. The FY 2020 Budget provides \$2.3 million to fund contract support for this critical function.

The Information and Incident Coordination Center (IICC) enhances internal and external situational awareness and coordinates CBP's incident response capabilities. The IICC serves as a 24/7 central entry point of communication and information flow for field CBP and DHS management officials. The FY 2020 Budget provides \$1.6 million to support the implementation of new programs and the continuation of others to comply with both Presidential and DHS policy directives.

The FY 2020 Budget includes \$1.1 million for six criminal investigator positions within the Investigative Operations Division, National Security Group with the Office of Professional Responsibility. These positions would focus on detection and investigation of counter-intelligence and insider threats. This allotment also funds six management and program analyst positions for programmatic oversight.

A substantial mandate within TFTEA is the *Enforce and Protect Act* (EAPA), which allows a party to submit an allegation of dumping circumvention to CBP, and grants CBP new authorities to make adverse decisions against an importer based on the lack of response or an incomplete response to an inquiry. CBP is mandated to initiate and pursue EAPA allegations within certain timeframes, and demand for these services is growing. The FY 2020 Budget funds \$1.5 million in overseas operating costs, including housing and utilities, and mission-critical travel in support of EAPA and forced labor investigations.

CBP's AMO plays a critical role in narcotics interdiction, investigations, and domain awareness, and our standards for recruitment are very high. As such, we face a challenge to meet authorized staffing levels. CBP trains all of its new AMO agents to become full-time law enforcement agents through the Air and Marine Basic Training Academy at the Federal Law Enforcement

Training Center in Georgia. The Budget enables the Air and Marine Basic Training Academy to increase student throughput in FY 2020, which will strengthen AMO onboard staffing.

### **Legislative Proposals**

Finally, as in the past, the FY 2020 Budget highlights some of the legislative priorities CBP hopes to achieve with the help of Congress. The legislative proposals, if enacted, will increase user fee revenues that would directly impact the trade and travel operations programs, projects, and activities.

The Department will submit a legislative proposal that increases the Immigration Inspection User Fee (IUF) by \$2 and removes the IUF exemption for certain travelers. The fee was initially set at \$5 per passenger in 1986, increased to \$6 per passenger in 1993, and to \$7 per passenger in May 2002. The legislation that increased the fee to \$7 introduced a second fee of \$3 per passenger effective February 27, 2003. The fee applied to vessel passengers whose journey originated in the U.S. territory, Canada, or Mexico—passengers to whom the \$3 fee applied had previously been exempt. The fee has not been adjusted since that time, though travel volumes and CBP costs for immigration inspections have continued to increase. If passed, the IUF increase legislation would support up to an additional 1,753 CBP officer positions.

The Department will also submit a legislative proposal to decrease the shortfall between the costs of CBP's inspections activities and the collections received. Per the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), passenger inspection fee collections fund customs inspection activities that are mandated by law. The fee levels set in current law do not fully cover CBP's costs. The proposal will increase the customs inspection fees for air and sea passengers, as well as increase all other COBRA inspection fees and any respective caps. The baseline fee has not been adjusted since 2007, though a final rule of increased inflation has gone into effect. The proposed legislation also supports up to an additional 1,169 CBP officers. The legislation also seeks to extend COBRA and Merchandising Process Fees past their current sunset dates.

The Department is resubmitting a legislative proposal to redirect approximately \$160.8 million in Electronic System for Travel Authorization (ESTA) surcharge collections from Brand USA to CBP. The base fee of \$10 per application remains unchanged and funds the vetting of travelers and refugees; helps reengineer and modernize the entry and exit process; and fund the staffing and overtime processing of arrivals and departures from the United States. The Brand USA funding would not constitute an overall increase to CBP's budget, but rather offset a commensurate decrease in CBP's Operations and Support (O&S) discretionary appropriation.

The Department is also resubmitting a legislative proposal to create a \$10 Electronic Visa Update System (EVUS) user fee. As Senate appropriators indicated in their markup of the FY 2019 DHS appropriations bill, non-immigrant visa holders who benefit from this program, not U.S. taxpayers, should pay for the operation and maintenance of EVUS. Once the authorizing proposal is enacted, CBP will no longer require appropriated funding to support the EVUS program.

CBP looks forward to working with you and your colleagues in the appropriate committees of jurisdiction to accomplish these legislative priorities.

### **Conclusion**

The FY 2020 President's Budget recognizes the serious and evolving threats and dangers the American people face each day, enables CBP to continue its vital operations, and provides funding for new initiatives critical to our success across all mission areas. With the support of Congress, CBP continues to secure our nation's borders and promote international trade and travel. I want to thank the Members of this Subcommittee for your continued support of CBP. Thank you for the opportunity to appear before you today. I look forward to your questions.