

U.S. CUSTOMS AND BORDER PROTECTION

I am pleased to be here today to discuss U.S. Customs and Border Protection's (CBP) role in building a more secure and efficient border and to discuss NTSB's questions related to the processing for entry and the importation of commercial vehicles into the United States.

The creation of CBP, which established a single, unified border agency for the United States, is a profound achievement, and our responsibilities are immense and challenging. CBP is responsible for protecting more than 5,000 miles of border with Canada, 1,900 miles of border with Mexico and operating 325 official ports of entry. Each day CBP inspects more than 1.1 million travelers, cars and conveyances; processes more than 70 thousand truck, rail and sea containers; collects more than \$84 million in fees, duties, and tariffs; seizes more than 5.5 thousand pounds in illegal narcotics; and seizes more than 4.4 thousand pounds of agricultural items and pests at ports of entry.

Although seven years have passed since September 11, 2001, that day remains a vivid memory to all of us. CBP is keenly aware of our responsibility to remain ever vigilant in protecting the homeland. We understand that the threat is ever present and the risks ever changing. For this reason we continually seek better and smarter means to ensure the security of our border, by enhancing all areas of our operations, including technology and document security, infrastructure, inspectional processes, and workforce and training.

From a strategic and operational standpoint, CBP has significantly increased our ability to execute our anti-terrorism and traditional missions at our Nation's borders more effectively than ever before, thereby enhancing the security of the United States, its citizens and the economy. We continue to perform our traditional missions, including apprehending individuals attempting to enter the United States illegally; stemming the flow of illegal drugs and other contraband; protecting our agricultural and economic interests from harmful pests and diseases; protecting American businesses from theft of their intellectual property; regulating and facilitating international trade; collecting import duties; and enforcing United States trade laws.

CBP executes its mission at all port of entry environments: air, land, and sea, and inspects travelers arriving at U.S. ports of entry via all modes of transportation, including those arriving by commercial bus. Commercial bus is defined as a motor vehicle designed to carry more than 16 passengers, usually along a fixed route or according to a predetermined schedule that meets the requirements of liability insurance and registration under the U.S. Department of Transportation (DOT) regulations found in Title 49 of the Code of Federal Regulations (CFR) and customs regulations found in Title 19 of the CFR. In most cases CBP requires the driver and passengers arriving via commercial buses to disembark, along with their personal belongings, in order to present themselves and their belongings for inspection. CBP queries the conveyance, driver, and passengers against its law enforcement database system, and determines their admissibility into the U.S. In ports where federal or state inspection services have a presence, CBP may refer a bus to them for inspection if the circumstances indicate such a need. CBP is charged

with facilitating the orderly, efficient flow of lawful travel, trade and commerce, while stopping prohibited goods, narcotics, and inadmissible persons from entering the U.S. With commercial bus arrivals, the threat of narcotics and human smuggling is ever present, and CBP officers stationed at land border ports of entry are trained to conduct effective inspections and are knowledgeable of areas commonly used on buses by potential smugglers.

When a commercial vehicle is being permanently imported into the United States a formal entry must be made with CBP. In order for a formal entry to be made the commercial vehicle must conform to DOT standards as set forth in 49 CFR. The declaration of conformity is made by the importer on the DOT HS-7 and submitted as part of the entry package.

CBP has long recognized the need to improve our facilities and infrastructure to more effectively meet mission requirements. Modern facilities must address our dramatically changing border functions, increasing traffic volumes and staffing levels, and new and updated technologies and equipment. To the extent possible, we must also look at collocation with other regulatory agencies, such as state departments of transportation, which share responsibility for security and safety. To that end, CBP has implemented a facility investment planning process, and capital improvement plan for land border ports of entry. This process ensures that facility and real property funding is allocated in a systematic and objective manner, and is prioritized by mission critical needs.

While CBP operates 163 land border facilities along the Northern and Southwest borders, CBP owns only 27 percent of these facilities. The U.S. General Services Administration (GSA) owns 58 percent, and leases the remaining 15 percent from private, state, or municipal entities. Unfortunately, the rapid evolution in CBP's mission coupled with years of neglect has left these vital assets in dire need of modernization and expansion. The average age of our facilities is 42-years-old and they were not designed for our current operations. Since the terrorist events of September 11, 2001, CBP has been given the priority mission of preventing terrorists and terrorist weapons from entering the United States, along with maintaining our legacy missions. These tremendously expanded responsibilities are stretching our physical resources well-beyond what they were ever designed to handle. The vast majority of these facilities were not built to incorporate all of the enhanced security features that are now present at our ports of entry, including Non-Intrusive Inspection technology (Radiation Portal Monitors, Vehicle and Cargo Inspection System, X-rays) and License Plate Readers. Our facilities are stretched to the limit and, almost without exception, cannot accommodate additional functions or agency presence.