

**Statement of Under Secretary Asa Hutchinson**  
**Department of Homeland Security**  
**Before the House Select Committee on Homeland Security**  
**June 25, 2003**

Good morning Chairman Cox, Congressman Turner, distinguished members of the Committee. I am delighted to appear before you today to discuss the progress, status and plans for the Department of Homeland Security's Directorate of Border and Transportation Security.

On this my first appearance before this committee, I wish to commend you on its creation and for your willingness to serve our nation in this fashion. I came to know many of you during my time in the House of Representatives and have the utmost respect for your focus on advancing what is best for the nation and for its citizens. Your dedication to ensuring the security of our homeland will be a critical element in the Department's success. Today's hearing marks a significant milestone in our combined effort to ensure the Department of Homeland Security, and in particular, the Border and Transportation Security (BTS) Directorate, fulfills its promise and potential.

Securing our nation's air, land, and sea borders is a difficult yet critical task. The United States has 5,525 miles of border with Canada and 1,989 miles with Mexico. Our maritime border includes 95,000 miles of shoreline, and a 3.4 million square mile exclusive economic zone. Each year, more than 500 million people cross the borders into the United States, some 330 million of whom are non-citizens, through our 350 ports of entry.

The Border and Transportation Security Directorate is one of five Directorates within DHS, and in partnership with the Coast Guard, watches over our nation's borders and transportation systems. The BTS Directorate is comprised of the former U.S. Customs Service, the Immigration and Naturalization Service, the Transportation Security Administration, the Office of Domestic Preparedness (ODP), the Inspections Division of the Agriculture Plant Health Inspections Service (APHIS), the Federal Protective Service (FPS), and the Federal Law Enforcement Training Center (FLETC). Its extraordinarily dedicated employees – over 100,000 of them – were brought together under the BTS roof because of their common focus of ensuring the security of our nation's borders, ports of entry and transportation systems, on facilitating the flow of legitimate commerce and on enforcing our nation's immigration laws.

In the five months since the creation of the Department, and less than three since we truly became an operational entity, the BTS Directorate has taken a number of strides to integrate its component agencies and streamline their operations. We have achieved a number of operational and programmatic successes and challenges since the 24<sup>th</sup> of January, and I'd like to share some of those accomplishments with you in the hope that you will share my assessment that we are indeed, off to good start.

Since its inception on January 24, 2003, the Border and Transportation Security Directorate has:

- Initiated a comprehensive reorganization of its component agencies, creating two new bureaus: the Bureau of Immigration and Customs Enforcement, and the Bureau of Customs and Border Protection.

- Deployed new technologies and tools at land, air and sea borders;
- Expedited distribution of billions of dollars in grant monies to states and cities, with more to come.
- Created a 24 hour Radiation/WMD Hotline to assist BCBP and BICE officers with scientific and technical needs regarding Chemical, Biological, Radiological and Nuclear (CBRN) alerts along the border.
- We have held bilateral meetings with UK Home Secretary David Blunkett, Canada's Deputy Prime Minister, John Manley, and Mexico's Secretary of Interior, Santiago Creel, to continue progress on security initiatives of mutual interest.
- BTS is in the first phase of developing the US-VISIT system and we will have an initial deployment at air and sea ports of entry by December 31, 2003. The system will be capable of tracking the entry and exit of foreign visitors who require a visa to the U.S. US-VISIT will make entry easier for legitimate travelers and more difficult for illegal entrants through the use of biometrically authenticated documents.
- Conducted a series of listening sessions at strategic ports throughout the U.S.
- Participated in Operation Liberty Shield, the first comprehensive, national plan to increase protections of America's citizens and infrastructure;
- Completed TOPOFF II, the largest terrorist response exercise in history.

Accomplishments to strengthen and improve security by BTS component agencies include:

### **Transportation Security Administration**

TSA's approach to transportation security is one designed to provide layered protection. To date,

TSA has achieved significant accomplishments in both its overall approach and within the specific transportation modes:

- TSA is screening passengers and checked baggage at our nation's airports, including electronic explosives detection for checked baggage at nearly all commercial aviation airports – all within the Congressionally mandated deadlines and all with the congressionally approved methods of screening set forth in the Aviation and Transportation Security Act that was passed by Congress and signed by President Bush on Nov. 19, 2001. As a side note, I would like to mention that nationally, about 92 percent of all bags are screened electronically. Prior to 9-11 only about 5 percent of all bags were being screened by any means.
- TSA is working with airports on the installation of equipment needed to screen all bags electronically and is preparing Letters of Intent for several major airports that will commit federal funds to projects for the installation of electronic screening equipment.

- TSA dramatically expanded the Federal Air Marshals program to cover a significant percentage of both international and domestic flights.
- TSA worked with the FAA in administering a program for air carriers to install hardened cockpit doors for commercial passenger aircraft.
- TSA is developing a new and improved successor to the current Computer Assisted Passenger Prescreening System (CAPPS). CAPPS II will assist the agency in identifying terrorist threats to the aviation system while also dramatically reducing the number of travelers subjected to additional screening procedures at the nation's airports. This system is being carefully designed to improve security while respecting the civil liberties of American travelers.
- Enhanced security in general aviation through the private charter and the "12-5" rules
- TSA screeners at Denver International Airport developed a pilot program, "Tots Friendly," designed to put children at ease as they go through security. The program is being evaluated for possible nationwide expansion.
- TSA implemented a full scale training program for screening persons with disabilities and those with special situations.
- TSA launched Federal Flight Deck Officer training program to enable qualified flight crews to be armed while on duty. The first class concluded on April 19<sup>th</sup>, with 44 pilots certified to carry firearms in the cockpit as Federal Flight Deck Officers
- TSA developed a strengthened "Known Shipper" program for air cargo including strengthened requirements to achieve Known Shipper status, and is developing additional layers of security to "pre-screen" cargo for targeted inspections.
- TSA has worked with airlines, airports and other airport employers to ensure that background checks have been done on all of their employees. This includes criminal background checks done by the airports. More than 1 million background checks have been completed.
- TSA has launched a development program for the Transportation Worker Identification Credential (TWIC).
- TSA has promulgated a new background check rule for hazmat transportation under the Patriot Act.
- TSA has undertaken planning to run a consequence management drill with Amtrak and New York City's Penn Station.
- TSA has developed an initiative with the Chlorine Institute to address their bulk hazardous materials shipments.

- TSA has begun coordinating with the Federal Railroad Administration to develop a rail system inspection guide for use by rail law enforcement and security personnel to inspect trains for explosives and other threats.
- TSA is partnering with BCBP and DOT on Operation Safe Commerce (OSC), a program to enhance the security of the international and domestic supply chain while ensuring efficient cross-border transportation, and recently announcing the award of \$58 million in OSC grants.
- TSA recently announced the award of \$170 million in Port Security Grants, with additional surface transportation grants (e.g., intercity bus grants) in process.

### **Bureau of Customs and Border Protection**

- The Bureau of Customs and Border Protection (BCBP) has consolidated incoming inspectional resources into a single face of government at ports of entry by establishing Interim Port Directors to integrate all of the incoming border agencies into one chain of command. A single field manager can implement a change in threat level in what used to be three disparate workforces.
- BCBP continues to deploy multiple technologies to support our layered inspection process, using various technologies in different combinations to detect the adversary who might defeat a single sensor or device.
- To date, more than 180 devices that are non-intrusive inspection systems and/or portal radiation detection devices have been deployed to detect and deter the entry of radiological material into the country.
- BCBP has provided all of its front-line (BCBP) inspectors across the country with personal radiation detectors that alert them to the presence of radioactive material.
- As a result of the Shared Border Accords between the U.S. and Canada, a number of activities are underway to meet the Accord's 30 action items for increasing security, enhancing joint law enforcement, improving technology and facilitating trade.
- Mexican and U.S. border control personnel are operating on a 22 point agreement to protect and secure infrastructure, and ensure the smooth flow of legitimate persons and goods.
- The Border Patrol conducted a bi-national training event for elements of the Mexican government responsible for border control activities. The training included elements of search and rescue, first aid, and aquatic safety.
- The Border Patrol is working with local tribal law enforcement in historic new agreements to protect tribal lands from unlawful entry along the over 250 miles of borders adjacent to tribal lands. For example, the Border Patrol is providing basic interoperability between Federal and State law enforcement agencies and the Tohono O'odham Indian nation.

- BCBP continues to harden the entire Northern Border ports-of-entry through the installation of technology and infrastructure, such as barriers, gates, bollards, lighting and video security systems.
- The Border Patrol will deploy an additional 387 agents along the U.S. and Canadian border by January 2004, bringing the total number of agents deployed to over 1,000.
- BCBP's Border Patrol has deployed additional helicopters and fixed wing aircraft at 8 Northern border Sectors and at 7 of the 9 Southern border Sectors.
- Integrated Border Enforcement Teams have been created in each Northern border Sector to promote better coordination and inter-operability among law enforcement agencies and the Royal Canadian Mounted Police.
- In FY 2003, the Border Patrol has removed 100,886 illegal aliens so far. This is in addition to the 149,067 removed in FY 2002.
- BCBP is implementing the Free and Secure Trade Initiative (FAST). The FAST program enables the Bureau of Customs and Border Protection to focus its security efforts and inspections on high-risk commerce while making sure legitimate, low-risk commerce faces no unnecessary and costly delays. NEXUS and SENTRI are also being implemented to facilitate the travel of legitimate visitors on the Northern and Southern Borders.
- BCBP continues implementation of the Customs-Trade Partnership Against Terrorism (C-TPAT), a public-private partnership aimed at securing the global supply chain against terrorism, while also facilitating legitimate trade.
- The Container Security Initiative has established tough new procedures targeting high-risk cargo containers before they embark en-route to U.S. ports. 19 ports (including 3 Canadian)—through which approximately two-thirds of cargo containers coming to the U.S. will pass—have agreed to participate in the program. 10 initial ports are operational.
- Along with CSI, BCBP began enforcing the new 24-hour rule in February, requiring submission of electronic advance cargo manifests by sea carriers 24 hours before U.S. bound cargo is loaded aboard the vessel at a foreign port. The information obtained is used as a factor in determining which containers are high-risk. This foreign based activity can preclude a risk from ever arriving in the USA.
- BCBP continues to coordinate with the Coast Guard to have expanded Passenger Analysis Units at seaports around the country to target and identify high risk travelers and immediately react to threats. BCBP cross checks advance notice of arrival information provided to the USCG 96-hours prior to arrival at U.S. ports, rather than the previous 24-hour notice, for potentially dangerous crew, passengers and cargo, thus allowing USCG to act appropriately prior to arrival in the U.S. port.
- BCBP requires all airlines to provide information on U.S.-bound passengers prior to their arrival; information is then checked against the FBI's and other relevant databases.

- BCBP's National Targeting Center and enhanced Automated Targeting System continue to identify those containers and travelers that pose a high risk of terrorism.

### **Bureau of Immigration and Customs Enforcement (BICE)**

- BICE combined all the investigative functions of Customs, Immigration and the Federal Protective Service into one bureau. BICE has taken steps to provide a single point of contact within DHS for U.S. Attorneys and other law enforcement agencies.
- In conjunction with the Foreign Terrorist Tracking Task Force, BICE agents have apprehended more than 1,000 immigrants for a variety of offenses of which over 500 were deported.
- Operation Joint Venture, a special operation initiated by BICE to identify and remove persons with unknown or questionable identities with access to restricted areas of military installations, has resulted in 37 arrests, of which 28 were removed from the United States.
- BICE's Operation No Mercy, initiated after the tragic deaths of 19 persons believed to be undocumented aliens in Texas, has resulted in the indictment of 14 individuals.
- BICE acquired and deployed additional "A-STAR" and "HUEY" helicopters to bolster enforcement efforts along the U.S. Southern border.
- BICE continues in its efforts to ensure the integrity and lawful operation of U.S. Financial systems.
- Project Shield America, a BICE initiative, continues to prevent sensitive U.S. technology and munitions from falling into the hands of terrorists and other U.S. adversaries. Under this initiative, BICE agents partner with U.S. manufacturers and exporters to guard against illegal arms exports.
- The BICE Office of Air and Marine Interdiction (OAMI) provided 24-7 airspace security coverage over Washington, D.C. During Operation Liberty Shield, OAMI expanded this mission to include airspace security coverage over New York City as well.

### **Office of Domestic Preparedness**

- The Office of Domestic Preparedness (ODP) has made available more than \$4.4 billion dollars in funding for grants since March 1, 2003.
- ODP recently announced the award of \$100 million in urban area security initiative grants to high threat areas; and made available an additional \$700 million in urban area security initiative grants for 30 cities and their contiguous counties and mutual aid partners; of this

\$700 million, \$65 million was in grants to 20 transit agencies for security enhancements and \$75 million was to enhance port security.

Funds are clearly flowing. While these awards have been announced, large amounts of this funding are still making its way down to our first responders, as states, localities and vendors do what they need to do as part of these programs.

### **Federal Law Enforcement Training Center (FLETC)**

- FLETC, in partnership with the TSA, is providing training for Federal Flight Deck Officers and Federal Air Marshals.
- FLETC is upgrading its counter/antiterrorism, weapons of mass destruction, and first responder training to accommodate the training needs of all 75 of its partner organizations.
- FLETC is developing a new training for CBP Inspectors, scheduled to commence Oct. 1.

### **Conclusion**

This list is far from complete, but I believe it shows that the BTS Directorate is hard at work on the task before us. We are shaping a new department, improving the security of our country and still sustaining the centuries old traditions of operational excellence that our individual components have brought to the BTS Directorate.

Because of the efforts of the dedicated employees of the Border and Transportation Security Directorate, undertaken in partnership with the American people, our federal, state, local, private and international counterparts, and our other colleagues within the Department of Homeland Security, America is becoming safer and more secure every day. A number of challenges lie ahead, but we are taking the necessary steps to improve the security of our borders, ports of entry, transportation systems; facilitate the movements of people and goods. As we fulfill these missions, we are redoubling our efforts to protect the freedoms and liberties that have made this country so great, as exemplified by the President's guidance to law enforcement agencies to minimize the likelihood of racial profiling. We are keenly aware of the importance of the contributions of our partners in this effort, including you, the Congress, and we look forward to working with you to continue the successes we have achieved in the last 5 months and ensure that our Homeland is indeed safer and more secure in the months and years ahead.

Thank you again for inviting me to appear before you today. I look forward to your partnership and I would be happy to answer any questions you may have at this time.