

Testimony of  
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STATEMENT BY  
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"COVERING THE WATERFRONT -- A REVIEW OF SEAPORT SECURITY SINCE  
SEPTEMBER 11, 2001"

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Good morning Chairman Kyl, Senator Feinstein, members of the Subcommittee. Thank you for this opportunity to testify on the subject of U.S. Customs and Border Protection efforts to secure U.S. seaports: the waterfronts, the vessels, and the people who utilize them for work and travel. People, technology, automation, electronic information and partnerships are concepts that underpin CBP port security and anti-terrorism initiatives. These concepts expand our borders and reinforce the components of CBP's layered defense. Today, I would like to focus on how this layered defense works with regard to seaport security.

? The National Targeting Center (NTC) - A single location for targeting technology and subject matter expertise;

? The Automated Targeting System (ATS) - The premier tool employed by CBP personnel to identify high-risk targets in the ocean, as well as other cargo environments;

? The 24-Hour Rule and the Trade Act of 2002 - New regulations that give CBP the authority and mechanisms needed to require advance electronic cargo information prior to arrival or departure from the United States.

? The Container Security Initiative (CSI) - A means of pushing our borders outward by screening cargo overseas and working jointly with host nation customs agencies on exams prior to lading U.S. bound cargo;

? The Customs - Trade Partnership Against Terrorism (C-TPAT) - A vehicle for securing global supply chains and the development of smart and secure containers;

? And Non-Intrusive Inspection Technology - Advanced inspection equipment to screen shipments rapidly for WMD, nuclear or radiological materials, terrorist weapons, and other contraband.

These layers are interdependent and deployed simultaneously, to substantially increase the likelihood that weapons of terror will be detected. No single strategy could provide the level of security that CBP has worked to attain and maintain since September 11, 2001.

NTC

To effectively secure sea, land and air ports of entry, CBP must have access to electronic cargo and traveler information in advance, the automation technology to manage this information, and

experienced personnel to evaluate and apply this information. The National Targeting Center encompasses these needs. The National Targeting Center initiated round-the-clock operations on November 10, 2001 and began the task of re-orienting narcotics based targeting methods and technologies for anti-terrorist and national security concerns. By January of 2003, the NTC staff relocated to a state of the art facility in Northern Virginia that accommodates representatives from all CBP enforcement, intelligence, and regulatory disciplines.

The NTC has established a range of liaisons with other agencies responsible for securing U.S. borders and commerce including, U.S. Coast Guard, the Transportation Security Administration, and the Department of Energy. Many of these agencies have liaison personnel assigned to the NTC. For example, CBP and the Food and Drug Administration commenced around the clock joint targeting operations at the NTC on December 11, 2003 in support of the Bio-Terrorism Act.

ATS

The Automated Targeting System is an automated tool that permits CBP to process advance information and focus its inspection efforts on potentially high-risk transactions and travelers. The ATS is a flexible, evolving system that integrates information from enforcement and commercial databases. In the cargo environment, ATS analyzes electronic data related to the individual shipments to profile and rank them in order of risk based on the application of algorithms and rules prior to arrival. The scores are divided into thresholds associated with further action by CBP such as document review and inspection.

ATS accesses and analyzes entry data when it is submitted electronically. Entry data is some of the most detailed and accurate information available for targeting.

The industry data that feeds the ATS is substantial. The 24 Hour Manifest Rule requires detailed and accurate information for all shipments destined for the U.S. 24 hours prior to lading on the vessel overseas. This is key to CBP's targeting success in the sea environment. On February 2, 2003 CBP implemented the 24-Hour Manifest Rule Program, with phased-in compliance and enforcement monitored by the National Targeting Center.

The scope and reliability of the cargo information currently received under the 24 Hour Rule is reinforced by the publication of the Trade Act Final Rule on December 5, 2003 that mandates advance electronic cargo information inbound and outbound for all modes of transportation.

CSI

Now I would like to talk about initiatives that reach the waterfront in concrete ways. The Container Security Initiative (CSI) came into being as a direct result of the events of 9-11. The purpose of CSI is to extend our nation's zone of security. Essentially, CBP screens and examines shipments before they leave foreign ports of lading. Nineteen of the twenty ports shipping the greatest volume of containers to the United States have committed to join CSI. These original 20 ports are points of passage for approximately two-thirds of the containers shipped to the U.S. Primary benefits of greater security will result from:

- ? Forging relationships and liaisons with foreign customs counterparts to facilitate communication and coordination;
- ? Establishing security criteria for identifying high-risk containers based on advance information;
- ? Pre-screening containers at the earliest possible point;
- ? Using technology to quickly pre-screen high-risk containers;
- ? And developing secure and "smart" containers.

CSI also uses both automation, the ATS, and advanced inspection technology as force multipliers. For example, CSI has requisitioned Personal Radiation Devices (PRD's), to be

deployed as CSI locations become operational. Additionally, CSI has requisitioned Radio-Isotope Identifier Devices (RIID's) for deployment to operational CSI ports with host country approval.

C-TPAT

Following the events of September 11th, the trade community approached CBP to devise a joint strategy to protect the global trading network or supply chain. Some of the basic tenets of C-TPAT are:

- ? Strengthening and enhancing supply chain security by partnering CBP with the trade community to strengthen our borders while facilitating the flow of legitimate trade;
- ? Developing a seamless, security conscious environment throughout the entire commercial process;
- ? Providing a forum in which the business community and CBP can exchange ideas, concepts and information that are increasing the security of the entire commercial process from manufacturing through transportation and importation, to ultimate distribution;
- ? Engaging a number of trade associations and international organizations in developing unique industry wide global security standards for specific sectors that will enhance security, not only locally, but globally as well.

Participation in C-TPAT has grown, almost exponentially. In the first year, C-TPAT enrolled 1000 members. Currently there are over 5300 participants or partners. C-TPAT continues to progress. CBP teams are in the process of verifying the information submitted by the C-TPAT participants to ensure that appropriate measures are in place to help secure the supply chains.

Supply chain security is inextricably linked to our cargo security initiatives. Secure containers will be essential to achieving comprehensive supply chain security. CBP takes a multi-layered approach to container security:

? CBP supports ISO standards for the use of high security mechanical seals, specifically ISO / PAS 17712, which exceeds most industry standards for use on containerized cargo, such as the American Society for Testing Materials Level D rating.

? In order to be deemed "tamper evident," alternatives to the door handle locking mechanism shall be incorporated into the sealing process. This change to standardized high-security mechanical seals coupled with electronic Container Security Devices (CSD's) is designed to strengthen the integrity of containerized cargo throughout the importation process.

? CBP is currently working with five (5) C-TPAT importers in order to implement Phase 1 of the CBP Smart Box initiative designed to deter and prevent legitimate cargo from being utilized to introduce contraband into the U.S., including weapons of mass destruction. As of January 5, 2004, Phase 1 participants began adhering to new sealing standards and incorporating container security devices into their standardized security.

The goal is to have a smart and secure container that prevents and deters tampering, alerts government and trade when tampering does occur, and is inexpensive.

Additionally, Customs and Border Protection is a long-standing member of multi-agency seaport security working groups. Operation Safe Commerce serves as a technology and business practice "test bed" for various government agencies and the trade to promote new security principles, recommendations, and practices. The Container Working Group addresses improving the security

of sea containers through improved technologies, enhanced information, sound supply chain procedures, and coordination between industry and government.

CBP also participates in security initiatives resulting from the Maritime Transportation Security Act of 2002. MTSA furthers the security of international inter-modal transportation by advancing the evaluation and certification of security systems.

#### Non-Intrusive Inspection and Radiation Detection Technologies

Non-Intrusive Inspection Technology (NII) is another cornerstone in our layered strategy.

Technologies deployed to our nation's sea, air, and land border ports of entry include large-scale X-ray and gamma-imaging systems as well as a variety of portable and hand-held technologies. NII technologies are viewed as force multipliers that enable us to screen or examine a larger portion of the stream of commercial traffic while facilitating the flow of legitimate trade, cargo, and passengers.

Today, CBP has large-scale NII systems deployed to our nation's air, land, and sea ports of entry. The systems include the Vehicle and Cargo Inspection System (VACIS), Mobile VACIS, Truck X-ray, Mobile Truck X-ray, Rail VACIS, Mobile Sea Container Examination Systems, and the Pallet Gamma-ray system. A portion of these large-scale systems are deployed to seaports on both coasts and the Caribbean.

CBP is also moving quickly to deploy nuclear and radiological detection equipment, including Personal Radiation Detectors (PRD's), Radiation Portal Monitors (RPM's) and Radiation Isotope Identifiers (RIID's) to our ports of entry.

CBP is also initiating the deployment of RPM's in the maritime environment with the ultimate goal of screening 100% of all containerized imported cargo for radiation. A variety of configurations have been developed and CBP is working with stakeholders to ensure that radiation screening does not significantly impact operations within a port.

Additionally, CBP has deployed PRDs in quantities necessary for ensuring that there is 100% coverage at primary, the first point of contact. Used in combination with our layered enforcement strategy, these tools provide CBP with a significant capacity to detect nuclear or radiological materials.

#### Conclusion

CBP's has demonstrated and will continue to demonstrate unwavering commitment to port security efforts, and we anticipate that working together will further these efforts considerably. Thank you again, Chairman Kyl, Senator Feinstein and the members of the Subcommittee for this opportunity to testify. I would be happy to answer any questions you may have.