

**STATEMENT BY
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**BEFORE THE
HOUSE SELECT HOMELAND SECURITY COMMITTEE'S SUBCOMMITTEE
ON INTELLIGENCE AND COUNTERTERRORISM
AND THE
HOUSE JUDICIARY COMMITTEE'S SUBCOMMITTEE ON CRIME,
TERRORISM, AND HOMELAND SECURITY**

**"PROGRESS IN CONSOLIDATING TERRORIST WATCHLISTS – THE
TERRORIST SCREENING CENTER (TSC)"**

March 25, 2004

Good afternoon Chairman Gibbons, Chairman Coble, and Members of the Subcommittee on Intelligence and Counterterrorism and the Subcommittee on Crime, Terrorism, and Homeland Security.

Thank you for this opportunity to testify on the subject of U.S. Customs and Border Protection - CBP's - interaction with the Terrorist Screening Center (TSC).

I would like to begin with an update on the Department of Homeland Security merger itself, and the efforts to achieve "One Face at the Border." CBP is responsible for effectively deploying approximately 42,000 employees and preserving the traditional missions of our predecessor agencies. Over the past year CBP has:

- Established a unified chain-of-command structure for the Office of Field Operations and the Border Patrol.
- Developed a new comprehensive Border Patrol strategy that incorporates the CBP priority mission.
- Created a new CBP uniform, patch, and badge with the phased roll out expected to reach completion July 2004.
- Refocused and broadened the skills of legacy employees by delivering Unified Primary training.
- Introduced new CBP Officer and CBP Agriculture Specialist positions.
- Developed and delivered more than 50 new training courses in support of our homeland security mission.

These actions have set the stage for the planned conversion of approximately 18,000 legacy Agriculture, Customs, and Immigration Inspectors to Customs and Border Protection Officers.

People, technology, automation, electronic information, and partnerships are concepts that serve as the foundation for CBP's anti-terrorism initiatives. These concepts improve the security of our borders by reinforcing the components of our layered defense.

Customs and Border Protection National Targeting Center

The Customs and Border Protection National Targeting Center or NTC came into existence in October 2001 in the immediate aftermath of the events of

September 11th. From its beginnings as the Office of Border Security, the NTC has grown swiftly, providing nationally directed targeting technology, targeting methodology, subject matter expertise, and training that encompasses the enforcement and regulatory missions of CBPs predecessor agencies.

In January of 2003 the NTC staff moved to a state of the art facility in Northern Virginia, and CBP personnel assigned there represent subject matter areas in agriculture, customs and immigration. Other CBP offices providing staff to this effort include the Border Patrol, Office of Intelligence, and Office of Information and Technology.

Additionally, the NTC supports the enforcement and regulatory missions of various agencies through a network of liaisons, which includes the Transportation Security Administration, the U.S. Coast Guard, the Department of Energy, and U.S. Immigration and Customs Enforcement. Contact is maintained with members of the intelligence community to include the Federal Bureau of Investigation, the Central Intelligence Agency and other intelligence services. CBP's commitment to collaborative targeting efforts is also demonstrated by the Food and Drug Administration Prior Notice Center located at the NTC and operational since December 11, 2003. There, CBP and FDA personnel conduct joint targeting on a round the clock basis in support of the Bio-Terrorism Act.

Automated Targeting System

The Automated Targeting System is an automated tool that permits CBP to process advance information and focuses its inspection efforts on potentially high-risk transactions and travelers. The ATS is a flexible, evolving system that integrates information from government, commercial, and enforcement databases. In the cargo environment, ATS analyzes electronic cargo information related to individual shipments to profile and rank them in order of risk based on the application of rules. ATS outputs are then reviewed for potential further action by CBP such as document review and inspection.

I would like to note at this point that through a combination of national targeting efforts at the NTC, local targeting performed by Manifest Review Units, and International targeting performed at CSI locations, we review and evaluate data regarding all ocean shipments bound for the United States, prior to arrival. And, we screen 100% of those identified as high or potential risk.

To reach this level of screening, CBP has worked aggressively over the past year to increase the quality, quantity, and timeliness of the cargo information we receive electronically. As a result, the industry data that feeds ATS is substantial.

The 24-Hour Manifest Rule for shipped goods requires detailed and accurate information for all shipments destined for the U.S., 24 hours prior to lading

overseas. This is key to CBP's targeting successes in the sea environment.

CBP implemented the 24-Hour Rule Manifest Compliance Program on February 2, 2003. CBP has seen great improvement in data quality through a phased-in strategy of informed compliance monitored and enforced by the NTC.

This is further reinforced by the Trade Act Final Rule published on December 5, 2003, less than one year after the process began with public meetings. It mandates advance electronic cargo information, inbound and outbound, for all modes for transportation.

Today, I would like to focus on how these elements of our layered defense work with regard to CBP's interaction with the TSC.

CBP Officers at the NTC routinely work with the TSC in order to evaluate and assess potential matches of individuals on the TSC watch list that may be attempting to enter the United States with harmful intent. The TSC enhances CBP's effectiveness in the following ways:

- The TSC provides for one consolidated watch list rather than the multiple lists that were maintained by different departments and agencies prior to TSC's existence.

- TSC provides around the clock, real time access to substantive information pertaining to subjects on the watch list. This information is critical to the positive identification of watch listed individuals and consequently, the timely release of individuals deemed to be negative matches.

CBP also contributes to the TSC consolidated watch list via an information sharing arrangement with the Transportation Security Administration in which CBP provides Advance Passenger Information System data for TSA's performance of a risk assessment on crewmembers on international flights. Any hit or other derogatory information is then coordinated with TSA and the appropriate agency which may result in the addition of names to the TSC watchlist.

The interaction between the TSC and CBP provides for a cumulative view of law enforcement and intelligence database information, rather than a single scope vision. Continued cooperation between TSC and CBP further serves to bridge the gap between the international and domestic venues in which terrorists operate.

Conclusion

CBP has a strong history of cooperation and partnerships with law enforcement agencies at the Federal, state, and local levels. CBP's layered defense is the cornerstone of our anti-terrorism mission, and as a key component of that layered defense, we depend on the TSC in order to operate at our full

potential. Essentially, as the merger under the Department of Homeland Security matures, we find that the “layers” of defense are increasingly transcending agency boundaries, and CBP’s interaction with the TSC is just one example.

Thank you again, Chairman Gibbons, Chairman Coble, and the members of the Subcommittee for this opportunity to testify. I would be happy to answer any questions you may have.