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HEARING ON "VISA REVOCATIONS II: STILL POROUS, SLOW TO FIX"
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SUBCOMMITTEE ON NATIONAL SECURITY EMERGING THREATS AND
INTERNATIONAL RELATIONS
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Good morning, Chairman Shays and Members of the Subcommittee.

Thank you for this opportunity to appear before you to update you on our efforts to formalize and reinforce the role of Customs and Border Protection in the visa revocation process.

I am also pleased to be here with my colleagues from the Department of State, Immigration and Customs Enforcement, the Terrorist Screening Center, and the General Accounting Office. CBP firmly believes that the visa revocation process is a key component of the "layered defense" that we deploy in conducting our primary anti-terror mission.

For CBP, a great deal of progress has been made on a number of fronts since June of last year. I would like to provide a brief status update on our agency before turning to our response to the General Accounting Office's recommendations regarding visa revocations.

Advance Passenger Information System

Prior to the arrival of international travelers at air and sea ports, CBP screens these travelers using electronic manifests provided by the carriers through the Advance Passenger Information System (APIS). CBP checks the

names of passengers and crew members in the Interagency Border Inspection System (IBIS), a name-based database that includes the Department of Homeland Security, the Department of Justice, the Department of State and other agencies' lookouts. CBP's National Targeting Center also reviews manifests for potential items of interest and can highlight passengers for additional screening or, in certain cases, identify passengers who CBP Officers will meet plane-side.

Rover and PAU Training

Beginning in June of 2003, CBP began training inspectors with customs and immigration backgrounds to function as members of joint Passenger Enforcement Rover and Passenger Analytical Units. These teams cover terrorism, immigration, and narcotics enforcement concerns in the passenger environment. Additionally, these joint teams have been receiving Counter-Terrorism Response training since September of 2003.

One Face at the Border

CBP places great importance on cultivating a highly skilled workforce by creating an environment where our personnel can operate effectively, and by delivering training to increase skill at every level of our operations. CBP is responsible for deploying approximately 42,000 employees and preserving the traditional missions of our predecessor agencies. Over the past year, we have:

- Refocused and broadened the skills of our employees by delivering Unified Primary training to ensure frontline personnel are knowledgeable in agriculture, customs, and immigration processes.
- Introduced new CBP Officer and CBP Agriculture Specialist positions.
- Trained over 1,491 newly hired CBP officers under a unified, integrated curriculum delivered at the Federal Law Enforcement Training Center as of July 1, 2004.
- Delivered Counter Terrorism Response Training (CTR) to over 1,700 CBP inspectors to date. This training course provides procedures to follow when a terrorist referral is made from an airport primary inspector, an advanced lookout, or a “cold stop” by a CBP inspector.

We have highly trained Officers, and we are working aggressively to provide them with the specialized training they need to optimize their skills to meet our constantly evolving anti-terror mission.

GAO Audit and Recommendations

Since we testified on the topic of visa revocations in June of 2003, CBP has addressed the operational concerns identified by GAO. CBP’s role in the revocation process is to prevent holders of revoked visas from gaining entry into the United States. To this end, we have formalized internal procedures for processing visa revocations, enhanced the automation tools supporting this process, and ensured that information sharing is timely and consistent.

CBP Workflow Outline for Visa Revocations

CBP verifies that visa revocations issued by the Department of State (DOS) are properly posted to the IBIS by manually cross-checking the records in IBIS to the communications received from DOS. Then, any lead information is promptly provided to Immigration and Customs Enforcement (ICE) for investigation. CBP recognizes that ICE is independently vetting visa revocations for lead information; however, CBP suggests that our efforts, rather than being redundant, offer an additional source of information against which ICE can validate or augment its findings.

CBP has addressed the GAO finding that we could not document consistent notification of ICE concerning the potential need to locate and investigate individuals with revoked visas who may be present in the United States.

CBP personnel now follow a written work flow outline for visa revocations which includes specific instructions for:

- Verifying that revocations have been posted in IBIS,
- Conducting the proper checks to determine if the subject may be in the United States,
- Consistently recording results of the Visa Revocation process,
- And ensuring that ICE is notified and provided supporting research documents for cases where CBP feels that the subject of the revocation is in the United States.

The presence of ICE, FBI, and Transportation Security Administration liaisons at the National Targeting Center has greatly streamlined the sharing of information. The CBP Officers researching visa revocations work side by side with the ICE liaison at the NTC, thereby ensuring improved coordination.

CBP's efforts to improve internal processes have not been confined to GAO recommendations and observations. CBP has also undertaken an additional measure in the form of a complete audit of all visa revocations in IBIS in an effort to mitigate previous shortfalls in information sharing. Records for which CBP could not identify a departure were turned over to ICE for further investigation. It should be noted that the reasons for revocation encompassed by this audit included all grounds for possible ineligibility, not just national security reasons.

Visa Revocations and the Automated Targeting System

The Automated Targeting System – Passenger (ATS-P) is CBP's premier targeting tool in the passenger environment, and it is available to CBP personnel at U.S. ports of entry nationwide. This system utilizes information from the National Crime Information Center (NCIC), the Treasury Enforcement Communications System (TECS), the Consular Lookout and Support System (CLASS) and other law enforcement databases to provide automated risk assessments on arriving international air passengers.

In order to improve and strengthen our procedures for interdicting arriving passengers who may be traveling on revoked visas, CBP has incorporated visa

revocation records into the ATS-P methodology for assigning the highest risk. This places passengers suspected of traveling on revoked visas on the ATS-P start page, where they are identified as high-risk passengers prior to arrival. This enhancement to ATS-P allows CBP personnel to easily identify these passengers. This has improved CBP's response at ports of entry, including meeting the passenger plane-side for escort, if warranted.

Additionally, our CBP National Targeting Center closely monitors these high-risk passengers and works directly with the local ports of entry on an as needed basis to respond to exact matches and to resolve close matches.

Immigration Security Initiative

CBP has developed a pilot program, the Immigration Security Initiative (ISI), to further improve our effectiveness in identifying terrorists, criminals, and other inadmissible passengers prior to boarding. In June 2004, CBP deployed four officers to the Netherlands, a Visa Waiver Program country, for a 90-day ISI pilot program. Not only will CBP have an opportunity to examine passengers prior to boarding, but airlines will have the opportunity to consult with trained CBP Officers during the check-in and boarding process in order to prevent transporting passengers who are inadmissible. CBP has coordinated this program with the Netherlands and the Department of State. CBP Officers assigned to this program have been specifically trained for this task.

Enforcement Success

Identifying and preventing the entry of persons, whether they are using fraudulent documents, concealing their true purpose of their visit, or because they have had their visa revoked, is a key responsibility of CBP. Applying GAO's recommendations to our processes helps CBP to better fulfill its role in visa revocations at U.S. ports of entry. A review of the National Targeting Center Activity Log for the past 12-month period shows that there have been 71 refusals stemming from revocation hits. This is a good indication that CBP is routinely identifying subjects of revocations at ports of entry and denying them admission to the United States based on those records.

Conclusion

The steps we have taken to reinforce our internal procedures demonstrate CBP's commitment to the visa revocation process and the interagency cooperation that propels it. CBP will continue to strengthen its policies under the existing regulations and work on an interagency basis to ensure that persons with revoked visas are identified at ports of entry. In conclusion, CBP is dedicated to working cooperatively with our colleagues at the Department of State and Immigration and Customs Enforcement to use visa revocations effectively as a border security tool. Thank for this opportunity to testify. I will be happy to answer any questions you may have.

