

TESTIMONY OF

TODD C. OWEN
Assistant Commissioner
Office of Field Operations

U.S. Customs and Border Protection
Department of Homeland Security

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ON

“Prevention of and Response to the Arrival of a Dirty Bomb at a U.S. Port”

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Chairman Hunter, Ranking Member Garamendi, and distinguished Members of the Subcommittee, it is an honor to appear before you today to discuss the role of U.S. Customs and Border Protection (CBP) in preventing and responding to radiological weapons-related threats, a role that we share with the Department of Homeland Security (DHS) agencies that join me today.

As the lead DHS agency for border security, CBP works closely with our domestic and international partners to protect the Nation from a variety of dynamic threats, including those posed by containerized cargo and commercial conveyances arriving at our air, land, and sea ports of entry (POE). CBP's security and trade facilitation missions are mutually supportive: by utilizing a risk-based strategy and multilayered security approach, CBP can focus time and resources of those suspect shipments that are high-risk which, in turn, allows CBP to expedite legitimate trade. This approach incorporates three layered elements to improve supply chain integrity, promote economic viability, and increase resilience across the entire global supply chain system:

- *Advance Information and Targeting.* Obtaining information about cargo, vessels, and persons involved early in the shipment process and using advanced targeting techniques to increase domain awareness and assess the risk of all components and factors in the supply chain;
- *Government and Private Sector Collaboration.* Enhancing our Federal and private sector partnerships and collaborating with foreign governments to extend enforcement efforts outward to points earlier in the supply chain; and
- *Advanced Detection Equipment and Technology.* Maintaining robust inspection regimes at our POE, including the use of non-intrusive inspection equipment and radiation detection technologies.

These interrelated elements are part of a comprehensive cargo security strategy that enables CBP to identify and address the potential use of containerized cargo to transport radiological weapons, such as “dirty bombs” or radiological dispersal devices (RDD), before they arrive at our Nation’s POE.

Advance Information and Targeting Capabilities

CBP’s multilayered approach to cargo security necessitates substantial domain awareness and intelligence to effectively identify and address high-risk shipments. Statutory and regulatory requirements for the submission of advance information, and the development of rigorous targeting capabilities at the National Targeting Center-Cargo, enable CBP to detect potential threats before a vessel or shipment arrives.

The Trade Act of 2002,¹ which provided statutory support for our 24-Hour Advance Cargo Manifest rule, requires importers and carriers to submit, to CBP, advance electronic cargo information for all inbound shipments in all modes of transportation. Furthermore, CBP requires

¹ Pub. L. No. 107–210

the electronic transmission of additional data, as mandated by the Security and Accountability for Every Port (SAFE Port) Act of 2006,² through the Importer Security Filing and Additional Carrier Requirements rule (also known as “10+2”). This advance information requirement is a critical element of CBP’s targeting efforts at the National Targeting Center-Cargo (NTC-C) and has enhanced CBP’s capability to identify high-risk cargo without hindering legitimate trade and commerce.

The NTC-C, established in 2001, coordinates and supports CBP’s anti-terrorism activities related to the movement of cargo in all modes of transportation – sea, truck, rail, and air. Using the Automated Targeting System (ATS), NTC-C proactively analyzes advance cargo information before shipments depart foreign ports. ATS incorporates the latest cargo threat intelligence and national targeting rule sets to generate a uniform review of cargo shipments, and provide comprehensive data for the identification of high-risk shipments. ATS is a critical decision support tool for CBP officers working at the NTC-C, the Advanced Targeting Units at our POE, and foreign ports abroad.

Collaboration with Government and Private Sector Partners

CBP’s advanced targeting capabilities are further strengthened by our extensive partnerships with other agencies, both domestically and abroad. We work closely with our DHS partners, including the U.S. Coast Guard; U.S. Immigration and Customs Enforcement (ICE); and the Science and Technology Directorate; to coordinate cargo security operations and deploy advanced detection technology. In addition, CBP collaborates with the interagency Domestic Nuclear Detection Office (DNDO) as well as with numerous agencies within the Departments of Defense, Energy, Health and Human Services, Commerce, Justice, and Treasury to promote real-time information sharing. CBP has participated in numerous joint-operations that led to the interdiction of illicit shipments:

- Through Project Synergy, an interagency operation coordinated by DEA’s Special Operations Division, NTC-C has identified more than 40 manufacturers in China involved in synthetic stimulant smuggling along with hundreds of U.S. and foreign consignees. This targeting and identification has resulted in significant investigative value to active cases of the Drug Enforcement Administration (DEA) and ICE, as well as providing investigative leads resulting in the creation of new cases. This effort has resulted in a total of 227 arrests, 416 search warrants executed and over \$51 million in assets seized.
- Project Zero Latitude was developed due to escalation of foreign and domestic narcotics interceptions involving sea containers of produce and seafood shipments, particularly involving Ecuador. At the NTC-C, CBP conducted an analysis of historical ATS information and cocaine seizure data. The analysis enabled NTC-C to identify several smuggling trends that will facilitate the identification of future suspect shipments.

Close collaboration with our Federal partners increases information sharing, which, in turn, enhances CBP’s domain awareness, targeting capabilities, and ability to intercept threats at, or approaching, our borders. CBP continues to extend our cargo security efforts outward through

² Pub. L. No. 109-347

strategic partnerships with foreign countries through the development of international cargo security programs and initiatives.

International Partnerships

One of CBP's most effective international cargo security programs is the Container Security Initiative (CSI). This initiative was established in 2002 with the sole purpose of preventing the use of maritime containerized cargo to transport a weapon of mass effect (WME)/weapon of mass destruction (WMD) by ensuring all containers identified as potential risks for terrorism are inspected at foreign ports before they are placed on vessels destined for the United States. Through CSI, CBP officers stationed at CSI ports abroad and the NTC-C work with host countries' customs administrations to identify and mitigate containers that may pose a potential risk for terrorism, based on advance information and strategic intelligence. Those administrations use a variety of means, including detailed data assessment, non-intrusive inspection (NII), radiation detection technology, and/or physical examinations to screen the identified high-risk containers before they depart the foreign port.

CBP works closely with host country counterparts to build their capacity and capability to target and inspect high-risk cargo. Today, in addition to weapons-detection, many CSI ports are now also targeting other illicit materials, including narcotics, pre-cursor chemicals, dual-use technology, stolen vehicles, weapons and ammunition, and counterfeit products. Furthermore, advancements in technology have enabled CBP to increase the efficiency of CSI operations without diminishing effectiveness by conducting more targeting remotely at the NTC-C. CBP's 60 CSI ports in North America, Europe, Asia, Africa, the Middle East, and Latin and Central America currently prescreen over 80 percent of all maritime containerized cargo that is imported into the United States. We anticipate that percentage to increase in the near future. Under a revised Declaration of Principles signed on June 23, 2015, CBP and the General Administration of Customs of the People's Republic of China have agreed to expand their cooperation to address all cargo hazards, increase information sharing and collaboration, and conduct joint inspections in additional ports.

CBP's strong working relationships with our foreign partners are also demonstrated through the Secure Freight Initiative (SFI) in Qasim, Pakistan. Through SFI, all targeting of containers is done remotely by CBP officers working at the NTC-C and physical examinations are conducted at Port Qasim by Pakistani Customs officials and Locally Engaged Staff hired and vetted by the U.S. Consulate General in Karachi. CBP officers use live video feeds streaming directly from Pakistan to the United States to monitor SFI operations at Port Qasim, including physical examinations of containers.

Creating the process for real-time data transmission and analysis required the development, installation and integration of new software and equipment. CBP partnered with the Department of Energy to deploy networks of radiation detection and imaging equipment in Qasim. Port Qasim continues to showcase the SFI program in a country where the government and terminal operators support the initiative, and where construction of dedicated facilities is possible. From constructing the scanning site to providing adequate staffing levels for SFI, the Government of Pakistan remains a strong partner in deploying SFI operations.

All trading nations depend on containerized shipping for the transportation of manufactured goods, which underscores the importance of these two programs. Each year, about 108 million cargo containers are transported through seaports around the world, constituting the most critical component of global trade. Almost 90 percent of the world's manufactured goods move by container, and about 40 percent arrive by ship. Collaboration with foreign counterparts provides increased information sharing and enforcement, further secures the global supply chain, and extends our security efforts outward.

Private-Sector Partnerships

In addition to CBP's targeting capabilities, and our partnerships with Federal and foreign partners, a critical component to CBP's effort to extend our cargo security to the point of origin is our effective partnership with the private industry. CBP works with the trade community through the Customs Trade Partnership Against Terrorism (C-TPAT) program, which is a public-private partnership program wherein members of the trade community volunteer to adopt tighter security measures throughout their international supply chains in exchange for enhanced trade facilitation, such as expedited processing. C-TPAT membership has rigorous security criteria and requires extensive vetting and on-site visits of domestic and foreign facilities. This program has enabled CBP to leverage private sector resources to enhance supply chain security and integrity.

C-TPAT membership has grown from just seven companies in 2001 to more than 11,000 companies today, accounting for more than 54 percent (by value) of goods imported into the United States. The C-TPAT program continues to expand and evolve as CBP works with foreign partners to establish bi-lateral mutual recognition of respective C-TPAT-like programs. Mutual Recognition as a concept is reflected in the World Customs Organization's Framework of Standards to Secure and Facilitate Global Trade, a strategy designed with the support of the United States, which enables Customs Administrations to work together to improve their capability to detect high-risk consignments and expedite the movement of legitimate cargo. These arrangements create a unified and sustainable security posture that can assist in securing and facilitating global cargo trade while promoting end-to-end supply chain security. CBP currently has signed Mutual Recognition Arrangements with New Zealand, the European Union, South Korea, Japan, Jordan, Canada, Taiwan, Israel, Mexico, and Singapore and is continuing to work towards similar recognition with China, Brazil, the Dominican Republic, India and other countries.

Advanced Detection Equipment and Technology

In addition to deploying technology and personnel abroad under programs like CSI, CBP has made strides in strengthening detection equipment capabilities in domestic seaports. Non-Intrusive Inspection (NII) technology enables CBP to detect materials that pose potential nuclear and radiological threats. Technologies deployed to our Nation's land, sea, and air POE include large-scale X-ray and Gamma-ray imaging systems, as well as a variety of portable and handheld technologies. NII technologies are force multipliers that enable us to screen or examine a larger portion of the stream of commercial traffic while facilitating the flow of legitimate cargo.

CBP currently has 307 large-scale NII systems deployed to and in between U.S. POE. These systems enable CBP officers to examine cargo conveyances such as sea containers, commercial

trucks, and rail cars, as well as privately owned vehicles, for the presence of contraband without physically opening or unloading them. This allows CBP to work smarter and faster in detecting contraband and other dangerous materials. To date, CBP has used the deployed NII systems to conduct more than 81 million examinations, resulting in more than 18,800 narcotics seizures, with a total weight of more than 5.2 million pounds, and more than \$76.2 million in currency seizures.

An integral part of the CBP comprehensive strategy to combat nuclear and radiological terrorism is the scanning of all arriving conveyances and containers with radiation detection equipment prior to release from the POE. In partnership with DNDO, CBP has deployed nuclear and radiological detection equipment, including Radiation Portal Monitors (RPM), Radiation Isotope Identification Devices (RIID), and Personal Radiation Detectors (PRD) has been deployed to 328 POE nationwide.³ Utilizing RPMs, CBP is able to scan nearly 100 percent of all mail and express consignment mail and parcels; nearly 100 percent of all truck cargo, 100 percent of personally owned vehicles arriving from Canada and Mexico; and nearly 100 percent of all arriving sea-borne containerized cargo for the presence of radiological or nuclear materials. Since the inception of the RPM program in 2002, CBP has scanned more than 1.1 billion conveyances for radiological contraband, resulting in more than 3.3 million alarms, all of which have been successfully adjudicated at the proper level.

When the RPM alarms on a conveyance or package the conveyance or package is referred to secondary inspection. If it is a conveyance, the driver and all passengers are removed from the vehicle. A RIID is then used to determine if the cause of the radiation alarm is due to an isotope used in medical treatments. Otherwise, using the RPM printout page, the CBP officer will complete a 360 degree scan of the conveyance using a RIID. Once the source of the radiation is localized, the officer uses the RIID to identify the radiation isotope. The results are referred for technical analysis through the CBP Laboratories and Scientific Services Directorate Teleforensic Center. All ambiguous RIID results are referred to the Nuclear Regulatory Commission for verification and further action, if necessary.

As part of CBP's NII recapitalization plan, older technology will be phased out and replaced with more modern and state of the art technology. As part of the joint CBP/DNDO Radiation Detection Program Executive Plan, older RPMs will be replaced with more capable technology that is more effective and significantly more efficient. CBP's RIID fleet is in the middle of a major recapitalization. Within the last three years, 27 percent of the RIIDs have been replaced with more precise technology. DNDO has also awarded contracts to replace the remainder over next few years subject to the continued availability of funding.

In conjunction with CBP's many other initiatives (C-TPAT, ATS, NTC-C, 24-Hour Rule, and CSI), NII technology provides CBP with a significant capacity to detect illicit nuclear and radiological materials and other contraband and continues to be a cornerstone of CBP's multilayered cargo security strategy.

³ As of September 30, 2015, CBP currently has 1,281 RPMs, 2,685 RIIDs, and 32,404 PRDs operational systems deployed nationwide.

Response to a Radiological Weapon at a Port

The aforementioned technology, targeting capabilities, and partnerships are strategically aligned to prevent the arrival of a dangerous weapon at a U.S. port. However, in the event such a circumstance occurs, CBP has established contingency plans and standard processes in order to ensure a coordinated and effective response to such an event.

Frontline CBP personnel, upon detection of a suspect radioactive source such as a dirty bomb, are trained to secure, isolate, and notify suspect targets and contact the CBP's Teleforensic Center. The scientists are specially trained in spectroscopy to recognize illicit radiological material and can confer with DOE's Triage Program for additional analysis. Any potential threat information will be referred for immediate action to the Federal Bureau of Investigation's (FBI) Strategic Information Operations Center. The FBI has the lead for the criminal investigation response to a domestic terrorist threat or incident. CBP will coordinate and assist FBI response teams with the investigation of the threat.

CBP's aviation assets maintain an emergency response capability to provide airborne assessment of radiological deposition following a nuclear or radiological accident or incident and provide airborne detection of a lost or stolen radiological source or device. Under an Interagency Agreement with the DOE National Nuclear Security Administration, CBP provides material, supplies, fuel, aircraft, flight crews, ground crews, and other required resources to provide aircraft flight support for the NNSA radiological emergency response mission.

All frontline personnel working at POEs utilize Personal Radiation Detectors (PRD), and receive ongoing training on how to respond to a detected radiological weapon. A dirty bomb uses common explosives to spread radioactive materials over a targeted area. It is not a nuclear blast. The force of the explosion and radioactive contamination will be more localized. While the blast will be immediately obvious, the presence of radiation will not be known until trained personnel with specialized equipment are on the scene. As with any radiation, frontline personnel are trained to limit the risk and effects of exposure by finding a shielding object, increasing their distance from the blast, and minimizing exposure time. Personnel will also work with local HAZMAT to cordon off a perimeter and assist with the decontamination process.

Conclusion

Each year, more than 11 million maritime containers arrive at our Nation's air and seaports. At our land borders, another 11 million arrive by truck and 2.7 million by rail. CBP's targeting activities, in conjunction with programs like CSI and C-TPAT, increase CBP's awareness of what is inside those containers, and enhance our capability to assess whether it poses a risk to the American people.

Working with our DHS, Federal, international, state, local, tribal, and private industry partners, CBP's cargo security programs help to safeguard the Nation's borders and ports from threats – including those posed by radiological weapons.

Chairman Hunter, Ranking Member Garamendi, and distinguished Members of the Subcommittee, thank you for the opportunity to testify today. I would be pleased to answer your questions.