SHUTTING DOWN TERRORIST PATHWAYS INTO AMERICA

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

SEPTEMBER 14, 2016

Serial No. 114–86

Printed for the use of the Committee on Homeland Security

Available via the World Wide Web: http://www.gpo.gov/fdsys/

U.S. GOVERNMENT PUBLISHING OFFICE

25–268 PDF WASHINGTON : 2017

For sale by the Superintendent of Documents, U.S. Government Publishing Office
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SHUTTING DOWN TERRORIST PATHWAYS INTO AMERICA

Wednesday, September 14, 2016

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
Washington, DC.

The committee met, pursuant to notice, at 10:09 a.m., in Room 311, Cannon House Office Building, Hon. Michael T. McCaul (Chairman of the committee) presiding.

Present: Representatives McCaul, Duncan, Katko, Hurd, Carter, McSally, Ratcliffe, Donovan, Thompson, Jackson Lee, Langevin, Vela, and Torres.

Chairman MCCAUL. The Committee on Homeland Security will come to order. The purpose of this hearing is to receive testimony regarding shutting down terrorist pathways into the United States. I now recognize myself for an opening statement.

This past weekend, we marked the 15th anniversary of one of the darkest days in our Nation's history. On September 11, 2001, our people, our homeland, and our way of life came under attack. I remember watching the television with my 5-year-old daughter as the second tower was hit. Like many of you, I realized this was not an accident. It was an act of war against our country.

The world has changed since then, and today my daughter is 20 years old, but we cannot let the passage of time dull our memories or temper our resolve. Those who don't learn the lessons of history are doomed to repeat them.

That is why in the aftermath of 9/11, we made a solemn pledge, "Never again." The agencies represented here today were brought together under one roof for exactly that purpose. You have made counterterrorism your highest priority. You have connected the dots and prevented terrorist attacks and you have made it harder for them to infiltrate the United States undetected.

But our enemies have come a long way. They see our weaknesses and are always trying to exploit them. Unlike the 9/11 hijackers, though, today's jihadists are using encrypted apps to hide their communications and recruiting operatives with the ease of a tweet. What is worse, groups like ISIS are in the middle of an unprecedented global killing spree and they are sending waves of foreign fighters back home battle-hardened and ready to spread terror.

Already thousands of these fighters have come back, including many with Western passports that can allow them to enter the United States. So the burden falls on you, our front-line defenders, to identify these fanatics and shut down any pathway they can use

to slip into our country. Let me be clear—this is one of our most urgent National security challenges.

That is why next week I will release a new National counterterrorism strategy that highlights this issue and more broadly explains how we can roll back Islamist terrorists world-wide.

We know that jihadists are looking at every route into America from sneaking across the Southwest Border, to flying in as tourists and as refugees. Today we will examine how they are trying to get in and what your agencies are doing to fight back.

One year ago, this committee released the most comprehensive report on terrorist travel since the 9/11 Commission. Our bipartisan findings were very sobering, yet the administration has failed to address many of them. We still don't have a National strategy to combat terrorist travel. Our refugee program is not as secure as it needs to be. We are struggling to bring our security checks into social media age.

Our allies are in worse shape, especially in Europe. I have seen it first-hand. Their borders are not secure, they are not sharing intelligence quickly enough, and they are failing to screen travelers against terrorist databases. We cannot afford to wait.

Today, I expect to hear what your agencies are doing to help fix this mess. If our allies can't step up to the plate, then terrorists will be one step closer to reaching us. I also hope you will discuss any barriers here at home that might be making it harder for you to secure our country against this threat.

This time last year, our committee held the first-ever Congressional hearing at Ground Zero in New York. We came together on hallowed ground to remember those we lost in New York, Washington, and Pennsylvania and those who have given their lives to keep America safe.

We still have an obligation to those victims and to their families, and I believe the best way to honor their memory is to keep our pledge by doing whatever we can to stop terror from reaching American shores.

[The statement of Chairman McCaul follows:]

STATEMENT OF CHAIRMAN MICHAEL T. MCCAUL

SEPTEMBER 14, 2016

This past weekend we marked the fifteenth anniversary of one of the darkest days in our Nation's history. On September 11, 2001, our people, our homeland, and our way of life came under attack.

I remember watching the television with my 5-year-old daughter as the second tower was hit.

Like many of you, I realized this was not an accident. It was an act of war against our country.

The world has changed since then, and today my daughter is now 20 years old. But we cannot let the passage of time dull our memories or temper our resolve.

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The agencies represented here today were brought together under one roof for exactly that purpose.

You've made counterterrorism your highest priority. You've connected the dots and prevented terrorist attacks. You've made it harder for them to infiltrate the United States undetected.

But our enemies have come a long way, too. They see our weaknesses and are always trying to exploit them.

Unlike the 9/11 hijackers, though, today's jihadists are using encrypted apps to hide their communications and recruiting operatives with the ease of a Tweet.

What's worse, groups like ISIS are in the middle of an unprecedented global killing spree. They are sending waves of foreign fighters back home, battle-hardened and ready to spread terror.

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I believe the best way to honor their memory is to keep our pledge—by doing whatever we can to stop terror from reaching American shores.

Chairman MCCAUL. With that, the Chair now recognizes the Ranking Member, Mr. Thompson.

Mr. THOMPSON. Thank you, Mr. Chairman, for holding today's hearing.

I would also like to thank the witnesses for being here today and their service to this great country.

Three days ago we paused to honor the memory of those who lost their lives on September 11, 2001. After those horrific attacks on American soil 15 years ago, we committed ourselves as a Nation to be resilient and to ensure terror would not rule our days.

The aftermath of those attacks led to the formation of the Department of Homeland Security. In part because of that decision, the Federal Government has strengthened its ability to detect and thwart terrorist threats and has improved information sharing between Federal, State, and local partners. Our Government has more advanced overseas intelligence capabilities and more stringent vetting processes for foreigners entering this country.

The Department has been agile and able to respond and make necessary policy changes to remain secure when humanitarian crises arise or security vulnerabilities are exposed. However, the Department's ability is limited by the dysfunctional jurisdiction web

in the House and Senate. I look forward to continuing a bipartisan effort with the Chairman to give DHS what the 9/11 commissioners recommended over 10 years ago—a single principal point of oversight and review for homeland security.

Despite our Nation's layered approach to security, September 11 was not the last terrorist attack we had on American soil, and certainly not the last attempted attack. Most recently, attacks in Orlando and Charleston and attempted attack in Garland, Texas, have illustrated that the terrorist threat has changed.

Potential terrorists do not have to leave our borders, undergo training in another country, and return to the United States to commit attacks. Terrorist attacks do not have to be financed or conducted at the direction of a terrorist group or a particular leader. Today, potential terrorists can be inspired by propaganda and rhetoric spewed over the internet.

But the internet is not the only avenue for radicalization. Charged rhetoric in the public forums has fueled the proliferation of both domestic and foreign-inspired terrorist organizations. As DHS Secretary Johnson indicated last weekend, our Government is able to connect the dots associated with overseas terrorist-directed plots on our homeland.

However, we need to be vigilant about lone actors, people who are self-radicalized and may not appear on a particular watch list or be flagged at the border. In response to this evolution to the terrorist threat, the Department and its Federal partners have renewed its focus on countering violent extremism.

DHS created the Office of Community Partnerships, chairs the interagency CVE Task Force, and has established community-based grants to counter violent extremism. The Department is pursuing all these efforts and Congress is appropriating funds for these activities. However, DHS has not issued a CVE strategy or transmitted an implementation plan to Congress.

Moreover, the written testimony today and previous statements by the Secretary give the impression that DHS CVE programs may be designed to focus singularly on one ideology and engaging one community.

The threat landscape is ever-evolving. It would be a shame to, in the words of the 9/11 Commission, suffer from a failure of imagination about what ideology or what group could be behind an attempted attack on the United States because we have a myopic view of the threat to our Nation.

I look forward to a robust decision with our distinguished panel, Mr. Chairman, and I yield back.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

SEPTEMBER 14, 2016

Three days ago, we paused to honor the memory of those who lost their lives on September 11, 2001. After those horrific attacks on American soil 15 years ago, we committed ourselves as a Nation to be resilient and to ensure terror would not rule our days. The aftermath of those attacks led to the formation of the Department of Homeland Security.

In large part because of that decision, the Federal Government has strengthened its ability to detect and thwart terrorist threats and has improved information sharing between Federal, State, and local partners. Our Government has more advanced

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The Department has been agile and able to respond and make necessary policy changes to remain secure when humanitarian crises arose or security vulnerabilities were exposed.

However, the Department's agility is limited by the dysfunctional jurisdictional webs in the House and Senate. I look forward to continuing a bipartisan effort with the Chairman to give DHS what the 9/11 Commissioners recommended over 10 years ago—"a single, principal point of oversight and review for homeland security."

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Chairman MCCAUL. Thank you, Ranking Member. Other Members are reminded opening statements may be submitted for the record.

We are pleased to have a distinguished panel of witnesses before us here today. First, the Honorable Francis Taylor, he serves as the under secretary for intelligence and analysis at the Department of Homeland Security. Prior to this assignment, he was vice president, Chief Security Office for General Electric and served as the assistant secretary of state for diplomatic security. Thank you, sir, for being here. He also has 31 years of military service rising to the rank of Brigadier General.

Next, we have the Honorable Leon Rodriguez, who serves as the director of U.S. Citizenship and Immigration Services since 2014. Prior to that time, he was director of the Office for Civil Rights at the Department of Health and Human Services.

Next we have Dr. Gowadia. She is the deputy administrator of the Transportation Security Administration, where she guides implementation of the administrator's goals, as well as oversees the TSA's day-to-day operations. Prior to that time, she served as director of the Domestic Nuclear Detection Office at the U.S. Department of Homeland Security.

Then finally, we have Mr. Kevin McAleenan, who currently serves as deputy commissioner of the U.S. Customs and Border

Protection. Previously he served as acting deputy commissioner at CVP and as the area port director of Los Angeles International Airport where he directed CVP's border security operations at LAX.

Then actually finally is Daniel Ragsdale, the chief operating officer for ICE, where he executes oversight of the agency's day-to-day operations of its 20,000 employees.

I want to thank all of you for being here given—in the interest of time, Secretary Taylor will be offering his statement on behalf of all the witnesses here today. The Chair now recognizes Secretary Taylor for his opening statement.

STATEMENT OF FRANCIS X. TAYLOR, UNDER SECRETARY, OFFICE OF INTELLIGENCE AND ANALYSIS, U.S. DEPARTMENT OF HOMELAND SECURITY; ACCOMPANIED BY HON. LEON RODRIGUEZ, DIRECTOR, U.S. CITIZENSHIP AND IMMIGRATION SERVICES, U.S. DEPARTMENT OF HOMELAND SECURITY; HUBAN A. GOWADIA, DEPUTY ADMINISTRATOR, TRANSPORTATION SECURITY ADMINISTRATION, U.S. DEPARTMENT OF HOMELAND SECURITY; KEVIN K. MCALEENAN, DEPUTY COMMISSIONER, U.S. CUSTOMS AND BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY; AND DANIEL H. RAGSDALE, DEPUTY DIRECTOR, U.S. IMMIGRATIONS AND CUSTOMS ENFORCEMENT, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. TAYLOR. Thank you, Chairman McCaul, Ranking Member Thompson, distinguished Members of the committee. I have submitted a statement for the record, a written statement for the record.

We look forward to discussing our progress preventing terrorist and terrorist-inspired attacks at home and preventing terrorists and radicalized individuals from traveling to the United States to launch attacks.

We continue to make extraordinary strides in adapting to the evolving threat environment, pushing our borders outward, and playing defense on their 1-yard line as opposed to ours.

Every day, we work with our Federal, State, local, Tribal, and territorial and private-sector partners to protect our critical and sensitive infrastructure and to prevent terrorists from traveling within the United States. We combine passenger and manifest data with intelligence and law enforcement information to detect foreign terrorist fighters and others who may pose potential threats before they reach our country.

Our pre-clearance program at foreign airports prevented more than 10,700 travelers—that is 29 per day—from traveling to our country and we are looking to expand this very successful program further with our international partners.

We are taking aggressive steps to enhance aviation and airport security here at home and around the world, reducing airport employee access points and increasing random screening of personnel within the secured areas of airports.

Several million more personnel will be screened by TSA this year than last. With your support, we are surging resources and adding personnel to address the increased volume of travelers. Since 2014, we have enhanced security at overseas last-point-of-departure air-

ports and a number of foreign governments have replicated those enhancements in other places other than last-point-of-departure airports.

Our visa security program, where ICE agents are stationed at embassies abroad, reviewed more than 2 million visa applications last year, contributing to approximately 8,600 visa refusals. Of these refusals, over 2,200 had some known or suspected connection to terrorism or terrorist organizations.

We continue to strengthen the security of our Visa Waiver Program, screening Electronic System for Travel Authorization, or ESTA, information against the same counterterrorism and law enforcement databases that travelers with traditional visas are screened and must be approved prior to the individual boarding an airplane coming to the United States.

We have expanded the use of social media currently used for more than 30 different operational and investigative purposes within the Department, and we are expanding this further, particularly in the screening and vetting mission set.

All refugees entering our country are subject to the highest level of security check of any category of traveler to the United States and admitted only after successfully completing a stringent security screening process.

Syrian refugees undergo an additional layer of screening referred to as the Syrian Enhanced Review. Through this process, each Syrian refugee application is reviewed at USCIS headquarters prior to interview and to determine possible National security concerns.

For those cases with potential National security concerns, CIS conducts both open-source and Classified research, including social media research, on the facts presented in the refugee's claim to inform their adjudication process.

Secretary Johnson has made preventing illegal special interest alien migration a priority for the Department. We are implementing a plan of action to enhance our ability to identify and disrupt human smuggling networks that facilitate illicit special interest alien migration to and across our Nation's borders.

We are sharing more information and more intelligence with Federal, State, local, and international partners than ever before. Today the National Network of Fusion Centers serves as the cornerstone for this information-sharing architecture within our country, providing grassroots intelligence and analytical capability at the local and National level. Using the Department's unique information and sharing it with our intelligence partners at an appropriate level of classification is just as critical.

The DHS data framework initiative will integrate the Department's most important data sets so that we can compare DHS data with travel data, immigration, and other information at the Unclassified and Classified levels.

Mr. Chairman, I will end my oral comments there and look forward to your questions.

[The joint prepared statement of Mr. Taylor, Mr. Rodriguez, Dr. Gowadia, Mr. McAleenan, and Mr. Ragsdale follows:]

PREPARED STATEMENT OF FRANCIS X. TAYLOR, LEON RODRIGUEZ, HUBAN A. GOWADIA, KEVIN K. MCALEENAN, AND DANIEL H. RAGSDALE

SEPTEMBER 14, 2016

Chairman McCaul, Ranking Member Thompson, and distinguished Members of the committee, thank you for the opportunity to appear before you today to discuss the Department of Homeland Security's (DHS) efforts to prevent foreign terrorist groups from traveling to the United States to launch attacks. We look forward to discussing our joint progress in preventing terrorist attacks directed at the homeland.

In the 15 years since the tragic attacks on September 11, 2001, DHS, with critical support from our interagency partners, has implemented comprehensive measures to enhance our immigration and border management systems and prevent the travel of terrorists to and within the United States, including:

Implementing robust, continuous, and timely screening and vetting capabilities;
Preventing and disrupting illicit migration of Special Interest Aliens to and across U.S. borders;
Expanding information sharing with our Federal, State, local, and international partners;
Ehancing DHS aviation security efforts; and
Building community partnerships to Counter Violent Extremism.

DHS recognizes that the types of attacks we have seen at home and abroad are not just terrorist-directed attacks, but also terrorist-inspired attacks. These attacks are conducted by those who live among us in the homeland and self-radicalize, inspired by terrorist propaganda on the internet. Terrorist-inspired attacks are often difficult to detect by our intelligence and law enforcement communities. They can occur with little or no notice, and present a complex homeland security challenge.

The current threat environment requires new types of responses. The United States, along with our coalition partners, continues to take the fight to terrorist organizations overseas. ISIL is the most prominent terrorist organization on the world stage. As ISIL loses territory, it has increased attacks and attempted attacks on targets outside of Iraq and Syria. It continues to encourage attacks in the United States, which makes our work ever more critical.

SCREENING AND VETTING

Every day, the Department works within the scope of its diverse authorities and programs to ensure that terrorists are denied access to sensitive and secure locations and infrastructure, and stopped from traveling to or within our country.

DHS is continually refining its risk-based strategy and layered approach to border security, extending our zone of security as far outward from the homeland as possible to interdict threats before they ever reach the United States.

To mitigate the potential threat of foreign terrorist fighters who attempt to travel to and from Syria, the Department uses intelligence and law enforcement information in conjunction with advance passenger information to detect foreign terrorist fighters and others who pose a potential threat to the United States. Equally important, DHS works in close partnership with carriers and international counterparts to prevent passengers who may pose a security threat, or who are otherwise inadmissible, from boarding flights to the United States. The Transportation Security Administration (TSA) vets all passengers traveling inbound to the United States against terrorist watch lists and can adjust its vetting in a risk-based manner to provide additional focus on specific travel patterns or locations. Since January 2016, nearly 7,000 known or suspected terrorists were denied boarding or received secondary screening at airports world-wide due to the rigor of the Secure Flight program.

DHS has continued to push the borders outwards through the growth of its preclearance program, managed through the U.S. Customs and Border Protection (CBP). CBP personnel at 15 airports overseas pre-clear air travelers before they board flights to the United States and coordinate with TSA for boarding of aircraft. In fiscal year 2015, preclearance allowed DHS to deny boarding to over 10,700 travelers (or 29 per day) before they could travel to the United States. TSA personnel assist CBP by working with host governments to ensure all pre-cleared flights are subject to security measures commensurate to U.S. requirements. We are looking to expand this program—in May, CBP announced an "open season," running through August 1, for foreign airports to express interest in participating in the next round of preclearance expansion. CBP received 20 letters of interest and is currently in the process of evaluating each location.

Through the Visa Security Program (VSP), U.S. Immigration and Customs Enforcement (ICE) personnel at diplomatic posts overseas identify terrorists, criminals, and other individuals who pose a threat or are otherwise ineligible for visas prior to their travel or application for admission to the United States. ICE works collaboratively with other U.S. agencies and host countries' law enforcement counterparts to investigate suspect travelers, enhance existing information, and identify previously-unknown threats instead of simply denying visas and any potential travel. In fiscal year 2015, VSP reviewed over 2 million visa applications, contributing input to approximately 8,600 cases in which visas were refused. Of these refusals, over 2,200 applicants had some known or suspected connection to terrorism or terrorist organizations.

We have significantly strengthened the Visa Waiver Program (VWP) vetting process. All VWP travelers must submit their data to the Electronic System for Travel Authorization (ESTA) before they travel to the United States. This screening now includes obtaining additional key data elements from VWP travelers and greater collaboration with interagency law enforcement and intelligence partners. ESTA information is screened against the same counterterrorism and law enforcement databases as traditional visas, and must be approved prior to an individual boarding a plane bound for the United States for VWP travel. This enhanced screening has identified more than 1,600 travelers as presenting potential law enforcement or security risks in fiscal year 2016.

On December 18, 2015, the President signed into law the Consolidated Appropriations Act of 2016, which included the Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 (VWP Improvement Act). The VWP Improvement Act codified VWP enhancements implemented earlier that year. It also established new restrictions on eligibility for travel to the United States without a visa for individuals who visited or are dual nationals of certain countries. We began implementing the new restrictions on January 21, 2016. Waivers from these restrictions are only granted on a case-by-case basis, and only when it is in the law enforcement or National security interests of the United States. It is important to note that those who are no longer eligible to travel to the United States under the VWP as a result of the new law may still apply for a visa at a U.S. Embassy or Consulate.

In February, pursuant to the VWP Improvement Act, the Secretary added 3 additional countries—Libya, Yemen, and Somalia—to a list that generally prohibits anyone who has visited these nations in the past 5 years from traveling to the United States without a visa. Most recently, in April, we began enforcing the mandatory use of high-security electronic passports for all VWP travelers. In both February and June, CBP enhanced the ESTA application by requiring responses to additional questions.

We have expanded our use of social media, which is currently used for more than 30 different operational and investigative purposes within the Department. Based upon the recommendations of a Social Media Task Force within DHS, the Secretary determined, consistent with relevant privacy and other laws, that DHS must expand the use of social media even further, particularly in the screening and vetting mission set. We note that our use of social media information is limited to publicly-available information, consistent with DHS authorities, and maintained and handled in accordance with the Privacy Act and relevant System of Records Notices.

Working closely with the Science and Technology Directorate, we conducted a number of pilots to automate the bulk screening of social media information with human review across a number of our high-priority populations, including refugee and ESTA applicants. These pilots have shown promise, and we are now conducting operational testing against live cases. The Science and Technology Directorate continues to work with industry to leverage the billions of dollars of private-sector investment in social media analytics to identify solutions that can best support DHS screening and vetting.

DHS is doing its part to address the Syrian refugee crisis. U.S. Citizenship and Immigration Services (USCIS), in conjunction with the Department of State, have worked to admit more than 10,000 Syrian refugees this fiscal year. All refugees, including Syrians, are admitted only after successful completion of a stringent security screening process. Refugees are subject to the highest level of security checks of any category of traveler to the United States.

Additional enhancements to the standard refugee screening process have been added for Syrian refugees. USCIS and the State Department ensure that all refugees successfully complete extensive, multi-layered and intense screening processes. These processes involve multiple law enforcement, National security, and intelligence agencies across the Federal Government. For certain categories of refugees, we have added other security checks as warranted.

PREVENTING ILLICIT MIGRATION

Special Interest Aliens (SIAs) represent a relatively small proportion of illicit migration to and across U.S. borders. However, due to the potential threat posed by this group, Secretary Johnson has made preventing illicit SIA migration a priority. On June 24, 2016, he issued a directive establishing the DHS SIA Joint Action Group (JAG). The JAG developed a consolidated plan of action to enhance and better coordinate DHS's efforts to identify and disrupt human smuggling networks that facilitate illicit SIA migration to and across U.S. borders. The plan, which was signed by Secretary Johnson on August 31, leverages Department-wide capabilities to both extend our borders and to improve our processes to gather and share information on SIAs with international, interagency, and State and local partners.

The plan contains five strategic goals:

1. Build an integrated screening solution with partner countries along illicit migration routes;
2. Strengthen those countries' investigative capabilities;
3. Improve their detention and repatriation capacity;
4. Enhance DHS intelligence integration and coordination; and
5. More efficiently and effectively collect information from SIAs who arrive at our borders.

INFORMATION SHARING

In response to the tragic attacks of September 11, 2001, DHS has worked closely with our Federal, State, and local partners to improve our domestic information-sharing architecture. Today, the National Network of Fusion Centers serves as the cornerstone of this architecture, providing grassroots intelligence and analytic capabilities to their customers at the State and local levels.

In addition to the benefits provided to State and local partners, fusion centers are unique resources in the Homeland Security Enterprise, providing subject-matter expertise and critical State and local information to the Federal Government. Fusion centers help identify previously-unknown threats or trends by contributing raw information, including Suspicious Activity Reporting, to DHS, Joint Terrorism Task Forces (JTTFs), and the intelligence community. They collaborate with Federal partners to conduct joint analytic collaboration to detect patterns in criminal and terrorist activities, and support the JTTFs' terrorism-related investigations. The Department supports their efforts by providing personnel, training and assistance, security clearances, and connectivity to Unclassified and Classified Federal systems.

The Homeland Security Information Network (HSIN) is our primary platform to share Unclassified information and facilitate real-time collaboration and situational awareness. In particular, we share Unclassified intelligence and analysis via the HSIN–Intelligence (HSIN–Intel) Community of Interest. HSIN–Intel is a secure platform for intelligence professionals and enhances collaboration, analytical exchange, and timely information sharing with our State and local partners.

Using the Department's unique information and sharing it with our intelligence community partners at appropriate levels of classification is critical. To achieve this, the "DHS Data Framework" initiative is integrating the Department's most important datasets so we can compare DHS data with travel, immigration, and other information at the Unclassified and Classified levels. This will enable multiple, cleared users from components with a need-to-know to more readily access the information they need to make quick and informed security decisions. We are building the Data Framework alongside our intelligence community partners' technology modernization efforts, including the Intelligence Community Information Technology Enterprise initiative. This will maximize our ability to use, protect, and share information with our partners consistent with all applicable laws, regulations, and policies that protect privacy and civil liberties.

The Department has also expanded information sharing and vetting cooperation with international partners. This work serves two purposes. First to gain new insight into an individual's immigration application including their identity and whether they pose an immigration, law enforcement, or terrorism risk. Second to support our allies' National vetting efforts, reducing the odds that terrorists or criminals may use a partner's territory as a staging ground. To date, through our Secure Real-Time Platform, we have vetted over 300,000 immigration applications for international partners, helping them to identify potential travel by known or suspected terrorists. We have also recently begun to compare select refugee applications and enforcement cases against foreign data.

AVIATION SECURITY

During the last year, attacks against aircraft and airports in Egypt, Somalia, Belgium, and Turkey have underscored the continued threat to aviation. The Department is taking aggressive steps to enhance aviation and airport security globally. Despite increased travel volume, DHS has not compromised aviation security. Instead, with the support of Congress, we have surged resources and added personnel to address the increased volume of travelers.

TSA has worked aggressively to refocus on security effectiveness. Since last summer, TSA has retrained the entire Transportation Security Officer (TSO) workforce, increased use of random explosive trace detectors, tested and reevaluated screening equipment, enhanced certain manual screening procedures, and eliminated the Managed Inclusion II program, which randomly placed unknown travelers into TSA Pre✔™ lanes. TSA has also implemented centralized new-hire training at the TSA Academy, located at the Federal Law Enforcement Training Center in Glynco, Georgia.

Further, in April of last year, TSA issued guidelines to domestic airports to reduce access to secure areas in order to address concerns about insider threats. Today, employee access points have been reduced and random screening of personnel within secure areas has increased. In collaboration with our airport partners, we are continuing our efforts. Earlier this year, TSA and airport operators completed detailed vulnerability assessments and mitigation plans for over 300 airports Nation-wide.

Finally, TSA has worked with foreign partners to strengthen security overseas last-point-of-departure airports, and security at these airports remains a focus area in light of recent attacks overseas. Altogether, TSA's efforts have enhanced the security of our Nation's aviation system.

COUNTERING VIOLENT EXTREMISM

Violent extremist threats come from a range of groups and individuals, including domestic terrorists and home-grown violent extremists in the United States, as well as international terrorist groups like al-Qaeda and ISIL. The threat begins with recruitment, inspiration, and winning the hearts and minds of potential terrorists. Al-Qaeda and ISIL continue to target Muslim communities in our country to recruit and inspire individuals to commit acts of terror. In response to this threat, DHS formed the Office of Community Partnerships (OCP) in 2015. Building bridges to diverse communities and working to ensure families and communities are well-informed is the best defense against terrorist ideologies. This work is a DHS imperative. As the Secretary has testified, building communities is as important as any of our other homeland security missions.

OCP is now the central hub for the Department's efforts to counter violent extremism in this country as well as being the host for the Countering Violent Extremism Interagency Task Force. OCP's work is focused on partnering with and empowering communities by providing them a wide range of resources to use in preventing violent extremist recruitment and radicalization. Specifically, we are providing access to Federal grant opportunities for community organizations and State and local leaders, and partnering with the private sector to find innovative, community-based approaches. DHS announced its first $10 million in grants in July of this year.

CONGRESSIONAL OVERSIGHT

We would like to take this opportunity to discuss the considerable efforts DHS devotes to complying with oversight requests. Congressional oversight requests to the Department come from 92 different committees and subcommittees with jurisdiction over DHS. Secretary Johnson has pledged transparency and candor with Congress, and has committed to respond to Congressional inquiries in a timely fashion. Under his leadership, the Department's responsiveness to oversight requests has improved by over 60 percent. We have cut our average response time from 42 business days to 17.

We accomplished this in spite of a significant increase in correspondence. During calendar year 2015, DHS received approximately 700 oversight letters and countless more oversight requests. At the current rate, we expect numbers of inquiries and responses will be significantly higher this year. Similarly, the hearing schedule has accelerated. We recognize and appreciate Congress's legitimate oversight responsibility, and we are making greater efforts to accommodate Congress's increasing demands.

CONCLUSION

Chairman McCaul, Ranking Member Thompson, and Members of the committee, we thank you again for the opportunity to appear before you today to discuss these important issues. We look forward to answering your questions.

Chairman MCCAUL. Thank you, Secretary Taylor, and I recognize myself for questions.

First to Secretary and to Dr. Gowadia. We have had about 40,000 foreign fighters that have converged into Iraq and Syria, 6,000 with Western passports. ISIS says they have sent thousands of these fighters back home, in their words. The French have reported that 15,000 potential extremists were in their country.

As you noted, we passed the Visa Waiver Program last Congress, marked up out of this committee, requiring these participating countries to screen travelers against Interpol. Are these countries complying with that requirement?

Mr. TAYLOR. Sir, they are complying with those requirements, in addition, complying with the requirements to have an HSPD–6 agreement with our Government in the exchange of information on terrorists, terrorist investigations with those countries.

Chairman MCCAUL. Because I know previously in my travels abroad they were not, and it was a very disturbing fact to find out. Dr. Gowadia, the last-point-of-departure airports concern me. I have been to Cairo, I have seen the State security out of that airport, it is not exactly stellar. Istanbul airport concerns me. We had a markup yesterday on the Cuban flights coming in.

My concern, we saw what happened with Sharm el-Sheikh, the insider threat. If there is not proper vetting, a corrupted or radicalized employee can put a bomb onto an in-bound flight into the United States. Cairo has one into JFK every day.

Can you tell me what the requirements are for last-point-of-departure airports in terms of the standards? Why can't we hold them to the same standards that we hold our people in the United States to?

Ms. GOWADIA. Thank you, Chairman McCaul.

I don't want to get into the details of each of the requirements, but I will tell you that at last points of departure all across the world, for flights that come directly to the United States from last-point-of-departure airports, whether they are U.S. carriers or foreign carriers, we do have in place not just international standards but additional requirements that the U.S. Government levies on those air carriers and those airports to ensure that the security standards we need to feel safe and secure are in place. We conduct assessments all around the world to make sure that that happens.

Chairman MCCAUL. But my understanding is it is just sort-of a minimal standard threshold they have to meet and in some cases some airports are better than others, is that correct?

Ms. GOWADIA. Well, so there are standards that the international body places for all of us to ascribe to, but as you are aware, TSA on behalf of the U.S. Government attaches additional security requirements.

We also have the ability to use tools such as security directives and emergency amendments to add additional requirements based on the airport, based on the operation.

We work very closely with our foreign government partners, as well as with the airlines and airports themselves so that they can build their own capacity. We work with them to train them, teach them, share best practices.

Chairman MCCAUL. But when it comes to vetting employees, I know that we heard yesterday. Cuba will not allow us to assist them to vet their employees and in Cairo, when I asked them are you using our intelligence databases or are we able to help vet your employees, I didn't get a very good response to that question.

That very much concerns me, because I don't want to be sitting here having a hearing a year from now where a bomb goes off on an in-bound flight from Cairo into JFK or from Cuba into Miami. It is just an area of concern for me.

Mr. McAleenan, the White House just announced today they are going to increase the number of refugees into United States to a number of 110,000. We know that the Democratic nominee, Mrs. Clinton, has said that she would like to see the number of Syrian refugees accepted into the United States increase from the 10,000 that we have already let into the United States to 65,000 Syrian refugees.

We have heard testimony before this committee from the director of the FBI to the Secretary of Homeland Security and I received a letter from the director of national intelligence warning us about the threat that these refugees pose. We know that two of the Paris attackers came through the refugee program. What is your level of concern with these refugees?

Mr. MCALEENAN. Mr. Chairman, I would defer to Director Rodriguez on the Syrian refugee vetting process. It is something that I got to witness in Istanbul with his personnel doing very in-depth interviews, but I would offer just as you noted your time in Europe that our process is very different and more stringent than what we are seeing from some of our partners.

From CBP's perspective, any refugee that is pre-approved by USCIS goes through the same layers of pre-departure vetting as any traveler to the United States. So we would check them once again against all databases, coordinate with intel community, look at any other risk factors as they are arriving, including taking biometrics again and conducting an interview with an officer——

Chairman MCCAUL. I understand. I think the concern at the time was when the director of the FBI testified before this committee that we can query, in his words, until the cows home if you don't have the databases to vet them against.

When I was over there in Jordan, the Minister of Security said, I don't know who these people are. So it is a very—we passed a bipartisan bill in the House to put a pause in the program and then have certification at the highest levels.

Mr. Rodriguez, can you assure the American people that they do not pose a threat to the security of the United States?

Mr. RODRIGUEZ. We can assure—and something that was actually corroborated by Director Comey, by the director of the National Counter-Terrorism Center, by the director of national intelligence, that the vetting process that we undertake is the highest level of scrutiny that any traveler to the United States receives.

I think very critical and very specific is the interagency check, which is one of six different batteries of screens that are conducted. That queries against intelligence databases. Several hundred people have been outright denied because of derogatory information that comes up. A much larger number of people have been placed on hold for further scrutiny.

So the reality is that the combination of those databases, of the interview process, of the screening criteria in the first place, the selection criteria for the refugee applicants that are referred to the United States does indeed provide a high level of security.

It doesn't eliminate all risk, and I think we have been very candid about that. But it does create a very potent process to really hinder anybody either who—if somebody coming directly from a terrorist organization wanted to infiltrate, this would certainly be quite a serious obstacle to them. We also worry about an individual who perhaps harbors those desires but has not necessarily manifested.

Chairman MCCAUL. My time is limited, but there are some technologies out there that I think could help with the screening in terms of detecting the truth, whether they are lying during their interview or not, and I would ask that you look at some of these technologies.

I have seen them myself, and I think that would go a long ways, I think. A lot of them are mothers and children and I understand that, but there are military-aged males in the Iraqi refugee program. With good intelligence, we still had two terrorists slip through the cracks in that program.

My final question, going back to Mr. McAleenan. In ISIS's latest publication, *Dabiq* magazine, they talk about smuggling a Pakistan nuclear device into this hemisphere and across the U.S.-Mexico border.

That is them, in their own words, and I have to take that seriously. Whether they have that capability is a whole other question, but with respect to the U.S.-Mexico border, have you seen any change or increase in chatter from these extremist groups related to these routes that the smugglers have in this hemisphere?

Mr. MCALEENAN. So that is something we track very closely, Mr. Chairman, with the help of the Under Secretary and his team as well as the I.C. We have seen the aspirational discussions like you referenced in terrorist publications from time to time, some scattered chatter that is usually debunked in partnership with our government in Mexico counterparts, but not seeing a ton of credible, validated intelligence that suggests that ISIS is trying to exploit specific routes.

Chairman MCCAUL. OK, thank you. My time is expired. Chair recognizes the Ranking Member.

Mr. THOMPSON. Thank you, Mr. Chairman. The goodness of this country is that we have marketed ourselves as a bastion of democracy and that if there are individuals who want to come and meet our test for coming, then they are welcome. So I would hope that as we pursue securing our country, we kind of remember that we are basically a country made up of immigrants from somewhere else.

Now, Mr. Rodriguez, can you just kind-of describe in short order the kinds of scrutiny that someone who would want to come to this country as a refugee? How long does that normally take, that process?

Mr. RODRIGUEZ. Sure, I will do it in short order, and I will assure you that the longer order would also give you even further comfort. First of all, each of those refugees has an encounter with a Government official multiple times before they even come to be interviewed by one of my officers. Those officers who conduct those interviews are intensely trained, including, importantly, in truth detection and in detection of deception.

That is true of all of our officers, whether they are refugee officers or not. In addition, there are six different types of security database queries that are conducted. They look at intelligence databases, law enforcement databases, Department of Defense, consular databases, Customs and Border Protection databases, all occurring incidentally at a time when one of the highest priorities of our Government is in fact knowing as much as we can know about the people who are seeking to do us harm. So in fact when we query against those databases, we do in fact find stuff when we do that.

In addition, we give certain selection criteria to the United Nations High Commissioner on Refugees, which means that certain groups of people are prioritized. People who have already themselves been victims of torture, victims of violence in some way, domestic violence victims, families, particularly mother-led families, and those screening criteria in many respects also tend to give us further comfort about the kind of individuals.

Now, I would not put a chronological duration on that. I think you have heard of 18 to 24 months as a time line. That has historically been true, but that doesn't—in fact, the real important question from my perspective is the quality of each of those activities that I describe, the quality of the databases against which we are querying, the quality of the work that we are doing in analyzing those results, the quality of the interviews conducted by my officers.

I would also add, because I know you are going to ask about this sooner or later, we have been, as General Taylor has highlighted, on an increasing basis particularly with the Syrian refugee applicants been looking at social media postings by those individuals as a further tool in screening those individuals prior to their being stamped ready for travel.

Mr. THOMPSON. Thank you very much. If you missed something, would you just kindly provide it to the committee?

Mr. RODRIGUEZ. It would be my pleasure and happy to come visit each of you individually, because we could talk for hours actually about what my folks do.

Mr. THOMPSON. Right. Dr. Gowadia, we heard testimony yesterday that somehow in Cuba the standards for planes originating there coming to the United States should be different than 280 other airports with flights originating coming to the United States. Can you, in your position, verify that Cuba flights originating from Cuba coming to the United States meet the international standards that the 280 other airports of last points of departure meet coming to the United States?

Ms. GOWADIA. Yes, Mr. Thompson. I can definitely affirm that we have been in Cuba multiple times and we have observed that they are meeting the international standards as well as some of the requirements the U.S. Government places at those airports.

Now, we have had flights from there for 6 years that have met all the same security standards that would be required of the scheduled flights that are now resuming.

Mr. THOMPSON. So the fact that there is a Communist government would be no different than Russia, China, or Vietnam, for that matter, in terms of a Communist country?

Ms. GOWADIA. So our assessment is of the security environment at these airports and we go in and make sure that they meet these standards, international and the additional U.S. standards, requirements.

Mr. THOMPSON. Thank you. General Taylor, there has been a lot of conversation about election cybersecurity. Can you tell us where DHS is moving in that area to assure the American public that future elections will continue to be secure?

Mr. TAYLOR. Thank you, Ranking Member Thompson. Admiral Rogers mentioned yesterday and across the U.S. Government, there is concern about reports of hacking into electoral systems, voter systems and those sorts of things in a couple of States so far. It is a concern for the Secretary. He has conducted an outreach to election officials across the country with advice on securing, how to secure, better secure electoral systems.

But it is a continuing concern. We don't believe that the results of the election are in jeopardy, but this is an area that we have to make sure that our 6,000 jurisdictions across this country that manage elections have all the tools that they need to make sure those systems remain secure.

Mr. THOMPSON. So your testimony is that you were working with some of those——

Mr. TAYLOR. We are working with all of those 60,000 across cybersecurity as well as physical security to ensure that those processes that are used in our election process are as secure as they can be.

Mr. THOMPSON. Thank you, I yield back, Mr. Chair.

Chairman MCCAUL. The Chairman recognizes the gentleman from South Carolina, Mr. Duncan.

Mr. DUNCAN. Thank you, Mr. Chairman. Thanks for this valuable hearing, especially as a follow-up to yesterday. Ladies and gentlemen, I chair the the Western Hemisphere Subcommittee on the Foreign Affairs Committee and I have traveled extensively through Latin America, even with Chairman McCaul when I was on the Subcommittee on Oversight and Management Efficiency here.

What I have looked at and what I have learned a lot in the last 6 years is the activity of Hezbollah, Iran, and other foreign nationals, possibly FTOs in Latin America. In fact, there is an area known as a tri-border region you are probably very, very aware of. Just recently, Honduras apprehended, I think it was October last year, apprehended 5 Syrians who were caught at the airport trying to come to America, to the United States using fake Greek passports.

Now, how did they get to Honduras? They traveled through Latin America, by way of Brazil, and they got to Latin America from Syria on fake Israeli passports. We know from conversations we have had in Paraguay, with Paraguayan intelligence, that that area is a hotbed for false documents and fake documents.

We know that Syrians are traveling into Turkey and for as little as $600 can change their identity with fake passports, not falsified, doctored, but just it looks like you, here is your new name.

So if Syrians from the war-torn area can obtain fake Israeli passports and travel to Latin America, and for $25,000 there, exchange those passports for fake Greek passports to try to come to this country, my question to you is this. The hearing is about shutting down terrorist pathways into America. There is one pathway they were trying to get into America and those were just ones that were caught in Honduras because they did not speak Greek.

But what if they had gotten by land into Mexico and worked their way up through the Mexican country and walked across our border like so many people do every day? There is a DHS term, OTM, other than Mexican, people that come to the United States and cross our border that are not of Mexican nationality. They could be African, and they are, they could be Middle Eastern, and they are, they could be Asian, and they are.

Based on testimony in this committee over the last 6 years, verified that OTMs are apprehended. That is a pathway into this country, so my question to you is, how do we shut down that terrorist pathway if our Southern Border is unsecured?

Mr. TAYLOR. Thank you for the question, Congressman.

Mr. DUNCAN. If anything I said is wrong, feel free to dispute it.

Mr. TAYLOR. Yes, sir. I would defer first to my colleagues from CBP and ICE. This is—the special interest alien issue is a major emphasis by the Secretary looking at how human smuggling organizations are trying to—or are taking money to smuggle people from war-torn areas and into the Southern Hemisphere and then attempt to cross our border.

We think we have an effective partnership with our partners in Latin America to interdict that and, in fact, the Secretary has asked us to redouble our efforts. So I would refer to Deputy Commissioner——

Mr. DUNCAN. So let me just inject one other thing in this——

Mr. TAYLOR. Yes, sir.

Mr. DUNCAN [continuing]. For this discussion purpose. We learned yesterday that someone coming across our Southern Border, apprehended by CBP can claim asylum and they are let go. Too many times. San Diego TV station had a great video about that.

So if they come through this terrorist pathway into this country crossing our Southern Border and apprehended by our security personnel, they claim asylum and are let go, how do I assure folks in South Carolina that we don't have elements that have nefarious purposes in mind now loose in America because our Government let them go?

Mr. TAYLOR. Sir, again, I would refer to my colleagues from CBP and ICE to address that specific concern.

Mr. MCALEENAN. Thank you, Congressman Duncan. This is a pathway, and it is one that we are laser focused on, as the under secretary indicated, from Secretary Johnson on down in an interagency fashion across DHS and with partners.

To provide a little bit of context briefly, individuals from regions or countries that have active conflict zones make up less than 1 percent of all unlawful migrants interdicted along our Southwest Border. Some of them enter between ports of entry as you noted, but most present themselves at ports of entry.

Mr. DUNCAN. Let me stop you right there. Active combat zones, Syria, Iraq, where ISIS battle in Afghanistan, Boko Haram is in Africa, Abu Sayyaf is in the Philippines, al-Qaeda is global, ISIS is now global. I am not talking about just people from Syria, of course you know that. I am talking about people that have nefarious aims on hurting Western democracies, specifically the United States of America and Americans.

That is who I am talking about. So don't just limit it to combat zones, please.

Mr. MCALEENAN. So actually, my comment included the countries that you specifically named and a specific understanding about ISIS and al-Qaeda's global presence. But just to give you some specifics about why your constituents should know that we are very focused on this issue, it is very similar to our approach on any lawful flow. We try to identify threats and interdict them at the earliest possible point in coordination with international partners.

From the places they are leaving from, to the arrival in the Western hemisphere, you mentioned Brazil as an arrival point, through the pathway up through Central America, the Panama-Colombia chokepoint, as well as Mexico.

When they get to the U.S. border, we have usually seen them or had an opportunity to take biometrics with partners multiple times. At the U.S. border, once they are interdicted either by a Border Patrol Agent or present themselves at a port of entry, we go through a special process with these arrivals.

First, we check them against all CBP holdings and watch lists. We check them through the National Targeting Center with the intel community. We do an in-depth interview with trained personnel, Border Patrol Agents and CBP Officers. We reach out to our ICE, HSI partners, and JTTF.

We run biometrics against DHS, DOJ, DOD databases. It is a very extensive process with people who specialize in the region, who have the language skills to make sure that we are vetting out any risk——

Mr. DUNCAN. OK, I am going to reclaim my time because I am just about out, but let me just make something clear. Secretary Johnson sat right there, Director Comey sat right there, the director of the National Counter-Terrorism Center sat right there at that same table, and they told us that we cannot properly vet Syrian refugees. These are people that our Government knows about, that applied for refugee status to come to America, and we can't properly vet them.

So I don't believe that we can assure the people in South Carolina that you can properly vet those that have transited Latin

America and come across our Southern Border that you have apprehended, and now you have got them in front of you and you are trying to see if that person is who they say they are, and try to vet them right then in that little bit of time.

Because our own Government had told us that people applying for refugee status cannot be properly vetted, told me I can't assure my constituents that before we drop Syrian refugees in our local communities, that our own Government can vet them and tell us who they are because either records did exist, they were destroyed in the civil war or were never very good to begin with.

So if you can't vet Syrian refugees through the normal Department of State process and Homeland Security process, I struggle with your answer that you are vetting someone that crossed our Southern Border through those same databases.

Chairman MCCAUL. The gentleman's time has expired. Ms. Jackson Lee is recognized.

Ms. JACKSON LEE. Let me thank the Chairman and Ranking Member for continuing to project for the American people in both reality and our actions the importance of oversight as it relates to the security and safety of the American people.

I thank the witnesses for being here and would like to personally offer my appreciation for your service to the Nation and also to make the point that we are looking at a multifaceted attack on the United States, maybe two prime ones, and that is of course the threat that comes from without and, as the FBI director said, the 50 terrorist cells that are in our respective States.

I want to congratulate, compliment, take note, if I might, because public servants don't take congratulations, they are doing their job, that we have been fairly and good at those coming into the Nation, coming into the country.

As I can recollect, since the heinous acts of 9/11, what comes to mind is the shoe-bomber, thwarted, though it was on an airplane, thwarted, the New Year's Eve potential threat from the Northern border, thwarted, and certainly we have had incidences of recent note that have been because of individuals.

So let me go to General Taylor, because I think what we need to be doing here is as well listening to you but seeking a pathway to collaborate to ensure that we stay at the highest level that we have ever been.

Before I do that, General, let me just say that my recollection, Director Rodriguez, of the comments of Secretary Johnson was not using the word threat as related to refugees, because I think what you left out is the long time that refugees are in camps before they come to the United States, how the selection process comes, the 2-year waiting period, the right of the United States to reject those individuals before they even leave the soil of the refugee camp.

So by the time—the vetting is not the day they step on the soil of the United States. The vetting is an on-going process from the time that they are in the United Nations refugee camp. That is my understanding of the—and you might say, yes, that that is a pool upon which any 110,000 or 70,000 would be coming from.

Mr. RODRIGUEZ. No, that is absolutely correct. Really from the moment that they register with the United Nations to the time that they are approved to travel, frankly even past the time——

Ms. JACKSON LEE. So they are not on the highway hailing a cab and then getting on an airplane to the United States?

Mr. RODRIGUEZ. No, no, Congresswoman, absolutely not.

Ms. JACKSON LEE. I think that is important. Let me just continue. So then the vetting process is a building block process coming forward, I think that is important for our constituents to know so that however we seek to help you, whether more resources for vetting that they know that these individuals are vetted pre-leaving and then continued vetting if necessary, but pre-leaving the foreign soil, is that correct?

Mr. RODRIGUEZ. The process that occurs before they leave foreign soil is a multi-agency, multi-step, multi-layered process that occurs over a very long period of time. It has—I described the elements in response to the Ranking Member's questions. It is a very ordered, very lengthy, very intense process to which these applicants are subjected. That is absolutely correct.

Ms. JACKSON LEE. Thank you. It has been enhanced, thank you. Deputy Commissioner, Deputy Administer, TSA, just a brief question on Cuba. Cuba will have on-going oversight by the Transportation Security Administration, is that not correct? You are in and out of Cuba and in and out of surveying those airports, is that correct?

Ms. GOWADIA. Yes, ma'am. We will continue our collaborative partnership with the Cuban airports as well as the airlines that go in and out of there.

Ms. JACKSON LEE. But the collaborative partnership is an intense oversight that answers any questions about whether there is any fracture in their security protocols?

Ms. GOWADIA. Yes, ma'am. We are seeking to even have somebody permanently stationed in Cuba to be able to facilitate rapid action if necessary.

Ms. JACKSON LEE. You feel that those on-going negotiations are going well?

Ms. GOWADIA. Yes, ma'am, they are.

Ms. JACKSON LEE. General Taylor, may I ask, we know that—and I have questions for the last two if you would be indulged for just a moment. We know that we are facing a new phenomenon in terrorism. ISIL is certainly, unfortunately, on the lips probably of a kindergartener. They might be able to give us a definition of ISIL.

So my question is in terms of looking at the Homeland Security Department, founded just 16 years and some months maybe ago, or 16, 15-plus post-9/11 ago, bringing in so many different entities. Do you feel comfortable that the American people have a Department that is integrated enough, cooperating enough and collaborative that you can face the threat of ISIL, along with, there are other agencies, meaning defense and others, but the Homeland Security that you can face the threat of ISIL because you are integrated enough to be communicating with ICE, CBP, TSA, Secret Service, et cetera, and the many agencies?

Mr. TAYLOR. Thank you for the question, Congresswoman Jackson Lee. I was the U.S. coordinator for counterterrorism on 9/11 at the State Department, had responsibility for working with our for-

eign partners. I left Government in 2005 from the State Department, returned to this position in 2013.

I have been awe-struck by the integrated nature of how we approach counterterrorism in the Department of Homeland Security, and I wanted to come back to Representative Duncan's question. We have pushed the borders of this country to the far reaches of the Earth in terms of where we start vetting, where we work with our partners to understand the threats and risks that come at our homeland, and through that pushing of the border out, we get better data, better information, better opportunities to vet, not at the point of attack on our 1-yard line, but on their 1-yard line in Central and South America, in Europe and in other places around the world.

So I think we are better integrated than we have ever been. Are we satisfied with where we are? No, because we continue to evolve our vetting capability based upon the new risks and threats that come at us from ISIS and other organizations that attempt to attack the United States of America.

Ms. JACKSON LEE. To the director of ICE, thank you very much. Then I will just give you another question in writing that I will submit to the record regarding the nuclear capacity that ISIS may have and our capacity to deal with, but if I can just get into the deputy director of ICE. Internal investigation that you are responsible for, I would hope——

Chairman MCCAUL. If we can make—because I want to get to all the Members before.

Ms. JACKSON LEE. OK, and I will just finish up, thank you for your indulgence, I will finish up very quickly. Are you working well with the issue of priority—since we are talking about terrorism and terrorist acts, I want to make sure that the ICE team understands or is comfortable with the priorities that have been established for prosecution are going after that you are looking to those individuals that may be directly related to potential terrorist activities in the United States.

Mr. RAGSDALE. So absolutely, Congresswoman. We are directly focused on that. First of all, we work tremendously well with our partners in the Department of Justice, the amount of effort we put in our own investigations that relate to counterterrorism. Using our authorities, working with the bureau, we have been able to disrupt a substantial percentage of acts in the United States so it is absolutely our top focus.

Our visa security program as it is, as the under secretary mentioned, is a way to push that border out. It is not simply a question of using a screening or an automated solution to check data. It is really the talent of our special agents being placed overseas——

Ms. JACKSON LEE. Excellent.

Mr. RAGSDALE [continuing]. Working side-by-side with our consular officers. That is a powerful tool and a much better situation to be in post-9/11.

Ms. JACKSON LEE. Thank you, Mr. Chairman, thank you. I yield back.

Chairman MCCAUL. The Chair recognizes the gentlelady from Arizona, Ms. McSally.

Ms. MCSALLY. Thank you, Mr. Chairman, and I appreciate this hearing.

I had the privilege to be on the bipartisan task force last year from this committee, appointed by the Chairman and led by our colleague, Mr. Katko, for combating foreign fighters and we took a deep dive into this issue that we are talking about today, identified over 50 findings and 32 recommendations, and many of them have been working their way through Congress and being signed into law.

One I would like to follow up on, which was actually in that law, was directing DHS to review and consider investing in deception-detection technology. The Chairman brought this up; I feel a bit like a broken record.

I bring this up at every hearing, I bring it up at every meeting, I bring it up at every Classified discussion. Look, the best operatives' reports and research show even the best most highly-trained operatives can only detect deception in about 50 percent of the cases, when a human being is lying to them.

There is off-the-shelf technology out there, some of it developed at the University of Arizona that we have demonstrated to your agencies but others out there as well, that can very cheaply and easily help detect deception while you are doing interviews overseas and other places and all the different ways that could be exploited, whether that is filling out the ESTA form or doing the K1 interview process.

There is technology out there. I just, I feel like we are moving at the speed of bureaucracy while the bad guys are moving at the speed of broadband. So I am asking again what since the law was signed last year, directing DHS to investigate the use of deception detection technology, what has been done?

Mr. TAYLOR. Congresswoman, I am embarrassed to say that I am not prepared to answer that question, but I will take it for the record in terms of where we are.

Ms. MCSALLY. OK, Mr. McAleenan, can you answer for your organization?

Mr. MCALEENAN. I am familiar with the work we have been doing with the Office of Science and Technology in the pilot with the University of Arizona and others on this technology. It is something we are very interested in.

Ms. MCSALLY. Right.

Mr. MCALEENAN. Something we invest a lot in training our personnel on detecting deception eliciting responses in their questioning, but you are right. Anything that can enhance our capabilities, we want, so that is something that we will take back and continue to pursue.

Ms. MCSALLY. Thank you. I just—I hear this every single time I ask it, just to be frank with you. I understand, I worked in the military, it is a big bureaucracy.

It doesn't move quickly, but especially given the indications that we have, with Tashfeen Malik and others that clearly are in interviews lying, I mean this stuff needs to be looked at and employed I think very quickly and thoughtfully.

This can be—it is a manpower-intensive process that we are trying to do to shore up these vulnerabilities, we get that. But if we

can use the technologies to help, we will really be able to address these vulnerabilities.

So I am kind-of a little bit tired of the, we will get back to you and I really want to hear a report. Maybe we can have a follow-up meeting, see how we can push to implement this in a faster way. It is in the law.

Mr. TAYLOR. We will get back to you in very short order.

Ms. MCSALLY. Great.

Mr. TAYLOR [continuing]. On where we are——

Ms. MCSALLY. Thank you.

Mr. TAYLOR [continuing]. And what the plan is moving forward.

Ms. MCSALLY. Great, thank you. I want to ask—the next question is, I chair the Border and Maritime Security Subcommittee. We had a committee hearing a few months ago where we talked about visa overstays and the report that was submitted last year related to visa overstays showed that if you extrapolate the number of people that we believe, not just apprehensions, but those who came over the Southern Border for the year, actually more people overstayed their visa than actually came over the Southern Border.

So this was somewhat I think alarming information to some people, and again, we had a full hearing on the issue but can you give us an update in this hearing on what is going on with addressing the visa overstay issue and then also specifically, the student visa issue seems to be one that is exploited a lot.

Is it not unreasonable to make students report and re-certify every single year that they are still on student status, otherwise their visa is revoked? Because this is another vulnerability.

Mr. MCALEENAN. I will start briefly and turn it over to my colleague, Director Ragsdale. So we have made strides and submitted the overstay report last year. As you note, about 1 percent of those traveling on non-immigrant visas or Visa Waiver Program did overstay their visas, and we have seen over the subsequent months, a number of those people have left, but not within their compliant time frame.

Next year, we will be submitting an expanded report that includes student visa categories as well as skilled workers to cover about 99 percent of those who have come as non-immigrants. When we do see an overstay, we refer those to ICE through a prioritized, automated mechanism based on intelligence for further follow-up and action.

Ms. MCSALLY. Yes, and the 1 percent number sounds small, but again it is hundreds of thousands of people. I don't know the number in my head right now but it is a significant number of people. The other thing we wrote up in that hearing was also for the countries that are routinely having these overstays, we are still actually issuing visas to their citizens to come over here.

Can we tie some sort of disincentive or incentive carrot and stick related to our other elements and leverage that they have got to shore this up otherwise we are going to stop or limit their ability to continue to violate this?

Mr. RAGSDALE. So I would defer to the Department of State on the issue——

Ms. MCSALLY. Yes.

Mr. RAGSDALE [continuing]. Visa issuance piece. What I would say in terms of enforcement, as the Deputy Commissioner said, we do take the prioritized leads over to ICE.

The first bit of vetting we would do is obviously our counter-terrorism nexus. We sent about 10,000 leads out to our special agent field offices. For vetting, we had about 2,000 arrests last year of people that posed the greatest threat.

The remainder of those cases are obviously taken through our Secretary's priorities for immigration enforcement, and that is really agnostic as a terms of manner of entry. Folks, we find folks in a jail, in a place where they have been convicted of a crime, they obviously are a priority.

As far as the students, the student visa population between the folks that are actually in school and their dependents is about a little over a million folks.

They are regularly sort-of monitored by our student and exchange visitor program. So not only does the institution that is certified by—excuse me, CBP, have to be accredited and monitored, but the actual school officials themselves have to make sure that the students are in fact maintaining a full course of study and the other requirements.

So there is actually a great partnership between the academic institutions and the SVP program to make sure that we do have good capability of keeping students in check.

Ms. MCSALLY. Just to clarify, I mean a couple of the 9/11 hijackers used the student visa program, so what you are saying is, in the last 15 years, this is now at a place that you think that that, the student visa program cannot be further exploited?

Mr. RAGSDALE. We have made tremendous strides since then. There is no doubt about that. We went from a very antiquated system to monitor students to a much more robust system and there is more modernization to do there.

We also have sort-of made sure that we have great collaboration between our CBP partners at the ports of entry to make sure that they know, because students are admitted for duration of status and not for a particular of time as they study, that if someone has fallen out of status as a student, it is available to our colleagues at CBP immediately.

Ms. MCSALLY. OK, thank you. I am way over my time, thank you, Mr. Chairman.

Chairman MCCAUL. The Chair recognizes the gentleman from Rhode Island, Mr. Langevin.

Mr. LANGEVIN. Thank you, Mr. Chairman. I want to thank you and the Ranking Member for holding this hearing and for everything that you are doing to make sure that we are closing down any and all pathways from potential terrorists from getting into this country.

To the panel, thank you for your testimony here today. One of my chief concerns in stemming the flow of terrorist travel is information sharing among our allies.

We have seen instances in Europe, for example, where one country's intelligence community had a suspect on their radar but that information was not shared with another country where he eventually actually carried out a terrorist attack. General Taylor, I will

start with you, but I welcome input from the panel. Are we getting better intelligence from our partners so that similar scenarios don't play out on U.S. soil?

Mr. TAYLOR. We are getting better intelligence, Congressman. To the issue of sharing within particularly in the European Union, the director of national intelligence held a conference with several of our E.U. intelligence partners. They have now formed an organization where they do share that information more regularly among themselves, as well as with us, and the other change in Europe since the last hearing here has been the creation of Europol and the European Counter Terrorism Centre, where that law enforcement information is also being shared.

We are closely aligned with Europol and with the intelligence services within the European Union and other intelligence partners and the flow of that information has been steady and even getting better since last year.

Mr. LANGEVIN. I know that European privacy laws are in many ways stricter than even those in the United States. Is it your assessment that those restrictions are not a factor anymore?

Mr. TAYLOR. I wouldn't say that they aren't a factor because governments share information under their legal systems, but I don't believe that it has hindered our ability to get the necessary information that are required of our partners so that we can better understand what the threats are that are coming at us and it continues to get better.

Mr. LANGEVIN. Thank you. In your joint testimony, you referenced using the secure real-time platform to vet immigration applications for international partners. I certainly strongly support efforts to help our allies keep terrorists from entering their countries.

Again, I will start with you, General Taylor, but we welcome input from the panel. Can you delve into some more—into the functioning of the platform and are there complimentary programs being stood up by our partners to allow us to use their data?

Mr. TAYLOR. Well, the secure real-time platform allows our partners across the world to share directly information with us, biometric information of interest that we can give them information back on what sits in our biometric databases. We now work with Canada and Australia. We have offered it to other countries across the world for this purpose of better quickly sharing that data in a systematic way.

Several countries are considering whether to use the secure real-time platform or not. We think it is an important piece of our information exchange with those countries. I would ask Deputy Commissioner McAleenan to speak a little bit about ATSG, because that also ties into the sort of information-sharing regime that we are trying to have with our international partners.

Mr. MCALEENAN. Sure. Thank you, Congressman, I think you are very right to focus on the information sharing as a critical piece both within and among our allies and also with the United States.

In addition to the secure real-time platform, we are pursuing any opportunities to directly share information with partners and allies around the world, especially in Europe, especially in countries where there could be pathways from the conflict zone.

We don't stop just with a request to share direct biographic or biometric information. We also offer capacity building, we offer methodology for analyzing data such as reservation data or manifest data that air carriers use, and we also, as General Taylor indicated, offer our systems developed over decades actually, at a lot of expense to be able to appropriately take in data, analyze it, and produce results that can operationalized by border and law enforcement authorities.

We have had great partnerships developing in these areas with different countries. So it is a high priority for us.

Mr. LANGEVIN. Thank you. My final question, this hearing is focused on terrorist pathways into the homeland, and both your testimony and your questions are focused on keeping the physical presence out to prevent kinetic effects that could destroy American lives and property or harm people in any way. However, as we all well know, cyber attacks on physical systems can cause similar damage.

How are your agencies working to ensure terrorists do not have a foothold on American networks to use cyber space as a pathway into America?

Mr. TAYLOR. Well, whether it is terrorists, foreign countries, international criminals, the effect is the same. Our National Programs and Protection Directorate, NPPD, has been given the responsibility to protect the dot gov environment, as well as to inform our private-sector partners on threats and risks in cyber space. They work very closely with NSA and the Department of Defense and the FBI in ensuring that our cybersecurity posture is strong across the Nation.

We don't talk a lot about it—we don't often speak about cybersecurity, but it is as high a priority for our Department from a terrorist perspective as it is from a nation-State or criminal actor perspective as a threat to our homeland.

Mr. LANGEVIN. Anybody else with any comments? Thank you, Mr. Chairman, I yield back.

Mr. KATKO [presiding]. Thank you, Mr. Langevin. The Chair now recognizes the gentleman from Georgia, Mr. Carter.

Mr. CARTER. Thank you, Mr. Chairman, and thank all of you for being here and thank you for what you do to help protect our country. I want to start with you, Mr. McAleenan—help me out.

Mr. MCALEENAN. McAleenan. I thought Dr. Gowadia was beating me on the tough name today, but McAleenan.

Mr. CARTER. I am sorry, we don't have many McAleenans in south Georgia, just—yes, go figure. But, anyway, you know, one of the things that a lot of my constituents and I think a lot of Americans are concerned about is the flow of fighters traveling to Syria and this has continued for years and continues to this day. It is a concern that we have here in Congress and we are very concerned about it, especially giving the lack of complete data on the issue.

Do you believe that Customs and Border Protection and that the Department of Homeland Security have properly addressed this threat? I mean, this is a real concern among Americans.

Mr. MCALEENAN. I think it is an appropriate concern and the Chairman started our hearing with the numbers, 40,000 foreign fighter to the conflict zone, 6,000 from the West, it is a major con-

cern, and our highest priority throughout all of our mission sets at CBP.

Mr. CARTER. Well, given that, what is CBP doing to combat it? Tell me what they are doing to combat this issue and detect those looking to join ISIS?

Mr. MCALEENAN. Absolutely. On Monday, I was pleased to join our commissioner and others in opening up our new National targeting center, which is our hub for analyzing data on potential foreign fighters and terrorists that might be headed toward the United States or toward allies and partners, and we mentioned the information sharing with the Congressman's last question. We have either targeting system collaboration or methodology in direct exchange with other 25 partner nations at this point and that is continuing to expand.

So what we try to do is identify the threats and address them at the earliest possible point. We take the traveler from their first contact with the U.S. Government when they apply for permission to travel to the United States, a visa, with our partners at State and with ICE and ESTA, which is Electronic System for Travel Authorization for our visa-waiver program partner. When they reserve a ticket to the United States, when they show up to check in and before they take off and upon arrival, at each of those stages, we are evaluating all the information available to the U.S. Government, both to CBP and our partners, as well as the intelligence community to identify risks and prevent people from boarding.

Mr. CARTER. OK.

Mr. MCALEENAN. We do that 10,000-plus times a year just on data alone and another 10,000 at our pre-clearance airports around the world.

Mr. CARTER. OK, and you are comfortable we are doing everything we can do as far as that goes, because, again, I am telling you this is a major concern in my district and all districts throughout this country.

Mr. MCALEENAN. I am comfortable that it is our top priority that we need to continue to improve. The areas that we are continuing to work are on those international partnerships and building capacity with our allies——

Mr. CARTER. OK.

Mr. MCALEENAN [continuing]. As well as with their intel community.

Mr. CARTER. Let me move to you, Mr. Ragsdale. Visa overstays, this is something that we are often asked about and this is something that is an issue that is becoming increasingly recognizable. I mean it is just something that everyone is talking about. What sort of program have we got to measure this? Explain that very quickly if you can.

Mr. RAGSDALE. So, from a security standpoint, which I know is the focus of this hearing, we have our counterterrorism criminal enforcement units. So, in other words, we have what I will say is an inter-agency methodology we use to look at data on visa overstays that we get from our partners at Customs and Boarder Protection to make sure that we are prioritizing that number, which is a fairly large number, for action.

So in other words, any person that presents a threat to National security is targeted by our special agent offices and homeland security investigations for potentially analysis and location and arrest.

Where we can make criminal cases, we do that. Where we have to make administrative immigration arrests, we would also do that.

Mr. CARTER. Are you tracking the reasons for the overstay?

Mr. RAGSDALE. These are human beings, so you can imagine the reasons are as varied as the number of folks. We are certainly working in a way that the—what I will say is the history is used to inform our partners.

Mr. CARTER. OK, I am running short on time. I don't mean to interrupt you. Let me ask, are you sharing this information with Congress?

Mr. RAGSDALE. On overstays?

Mr. CARTER. Yes.

Mr. RAGSDALE. Yes, in fact, the CBP produced the first report last year and as the Deputy Commissioner said, there will be more data in the report this coming year.

Mr. CARTER. OK, thank you, Mr. Ragsdale. Mr. Taylor, very quickly and I am sorry I don't have much time here. I just want to talk very quickly about the travel of foreign fighters, and particularly through Europe. What are we doing in communicating, when you are working with European nations to try to coordinate our efforts here?

Mr. TAYLOR. We are doing quite a bit. As a matter of fact, I leave tomorrow night for Slovakia to meet the current presidency of the European Union to further the work that has been done by the Dutch in collaborating on the sharing of information among the European Union on foreign fighters and other terrorist operations in Europe. We have a very strong relationship with the European Union, both European Union bilaterally and the individual members of the European Union, as well as with Europol, as I mentioned earlier.

We have several members of the DHS team that are co-located at Europol, work extensively with European police agencies on their investigations, our investigations in a collaborative fashion. Is it perfect? Not yet, but it is a work in progress and it is a high priority for our Secretary to sustain that.

Mr. CARTER. OK. Well, thank you. Ladies and gentlemen, you have got a very important job and a very tough job, and we understand that. All of us understand that. We want to help you. We here in Congress want to help you. So please understand that, please understand that we have got to work together to make this work. I hear and I read where, oh, they want to shut the borders down. Nobody has said that.

What they have said is we want the best vetting system that we can possibly have. We want to make sure that those people who are coming here are not coming here to hurt us. The No. 1 responsibility of our Federal Government is to protect our homeland, to protect our citizens. We in Congress want to help you to perform your jobs in that respect. Thank you very much.

Mr. TAYLOR. Sir, if I might just very quickly respond. It is also our top priority and has been the top priority of the leadership of the department and the administration to ensure that the quality

of vetting is the best possible and we continue to work to enhance it as we move forward.

Mr. CARTER. Thank you.

Mr. KATKO. Thank you, Mr. Carter, and thank you, General. I want to note at the outset that I am not Chairman McCaul. He had to go to another hearing and he asked me to take over for him, and he also asked me to express his sincere thanks for your testimony today, and I will do the same, so thank you very much, gentlemen and Doctor.

General Taylor, when you were testifying, answering a question from Ms. McSally, you answered it candidly.

I have got to tell you, I appreciate that. I appreciate when someone comes before Congress, if they don't have the answer, they tell you they don't have the answer, and it is very important to understand that we are all on the same side trying to keep this country safe.

We different jobs—ours is oversight, yours is action—and I appreciate when if you don't know the answer, you say it, because when someone comes before Congress and they try to deflect or they do not answer the question directly, it does impact our view of what is going on, so thank you very much. I very much appreciate your professionalism, so thank you.

Now, I want to read you a quote, General, briefly and tell me if you agree with this. I presume you do but I am going to make sure. "Federal air marshals serve as an active last line of defense against terrorism and air piracy and are an important part of the multilayered strategy adopted by the U.S. to thwart terrorism in the civil aviation sector." Do you agree with that?

Mr. TAYLOR. I do.

Mr. KATKO. OK, it is self-evident, is it not? I believe in intelligence circles. Now, Dr. Gowadia, how are you?

Ms. GOWADIA. I am well sir, thank you.

Mr. KATKO. Thank you very much. Yesterday prior to our hearing on various issues, we had a—on Cuba, a bill I was trying to pass we got—an issue of Cuba. There was a time line that was produced by the Department of Homeland Security. Do you have that in front of you?

Ms. GOWADIA. I just received it, sir.

Mr. KATKO. OK, thank you. Accompanying that time line—and it lists various events happening with Cuba since 2010, various security-related events and what they have done in that regard, TSA and Homeland Security, is that right?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. OK. We also received in connection with that an e-mail from the Department of Homeland Security making sure that there is no sensitive security information in that report so I feel comfortable talking about everything in there.

I will ask that both of these documents be entered into the record.

Without objection, so ordered.

[The information follows:]

BACKGROUND SUBMITTED FOR THE RECORD BY HON. JOHN KATKO

BACKGROUND/PREVIOUS TSA ENGAGEMENTS WITH CUBA

November 2010 to Present

TSA continues to enjoy a robust and effective working relationship with the Cuban Institute of Civil Aviation (IACC). Listed below are highlights of the past 5+ years.

Accomplishments:

- *November 2010.*—Transportation Security Administration Representative (TSAR) Mizell's first assessment in Cuba with visits to Havana, Santiago, Camaguey, Cienfuegos, and Holguin. Prior to 2010, the last Office of Global Strategies (OGS) last visit was to Havana in October 2007.
- *August 2011.*—Because of the positive relations established during the first visit in 2010 by TSAR and Miami ROC inspectors, the TSAR was able to facilitate a reciprocal visit by Cuban representatives to observe security measures at the last-point-of-departure (LPD) airports at John F. Kennedy International Airport (JFK) in New York and Miami International Airport (MIA) in Miami in August 2011. During this visit, the Cuban delegation presented TSA with a copy of its Civil Aviation Security Program, which was a big step in sharing sensitive information, all due to the newly-established professional rapport.
- *October 2011.*—TSAR facilitated TSA Inspector visits to Santa Clara and Manzanillo.
- *January 2012.*—Assessment and air carrier inspections were conducted in Havana.
- *February 2012.*—TSA/OGS shared information with Cuba to assist with Liquids Aerosols and Gels (LAGs) implementation.
- *February 2012.*—The Chief of Mission and First Secretary of the Cuban Interests Section in Washington, DC, visited TSA Headquarters and met with OGS to discuss IACC's earlier visit to JFK and MIA in August 2011.
- *May 2012.*—Assessments were conducted in Holguin and Santiago.
- *July 2012.*—Assessments were conducted in Camaguey and Cienfuegos.
- *July 2012.*—LAGs restrictions were fully implemented at all LPD airports throughout Cuba.
- *January 2013.*—A Cuban delegation visited airports in Ft. Lauderdale and Tampa.
- *February 2013.*—Secure Flight was implemented for all Cuban LPD airports to the United States.
- *March 2013.*—TSA arranged Ground Security Coordinator training for 25 Cuban aviation security personnel in Havana.
- *April 2013.*—TSA hosted a visit at TSA Headquarters by the Chief of Mission, Cuban Interests Section, Washington, DC.
- *June 2013.*—TSA completed startup assessments/air carrier visits for Santa Clara and Manzanillo.
- *June 2013.*—Discussions began on the possibility of mail service between Cuba and the United States.
- *May 2014.*—A Cuban aviation security delegation visited JFK and the TSA Systems Integration Facility (TSIF) in the District of Columbia.
- *September 2014.*—The TSAR and representatives from the Office of Chief Counsel and the Federal Air Marshal Service (FAMS) traveled to Havana to explain and propose a F AMS arrangement.
- *November 2014.*—TSA met with IACC personnel in Havana to discuss Secure Flight implementation.
- *February 2015.*—Assessment and air carrier inspections were conducted in Havana.
- *February 2015.*—Ground Security Coordinator Training was completed in Havana by American Airlines.
- *March 2015.*—TSA participated with other representatives from the interagency in meetings with a Cuban delegation.
- *April 2015.*—Assessments and air carrier inspections were completed in Santiago and Holguin.
- *May 2015.*—Cuba implemented a requirement for all travelers to remove their shoes during the screening process on flights from Havana to the United States.
- *September 2015.*—TSA hosted a 7-member Cuban delegation for visits to U.S. airports in Atlanta, Tampa, Ft. Lauderdale, and Miami.
- *September 2015.*—The TSAR participated as part of a 15-member U.S. delegation for technical talks in Havana.

- *October 2015*.—Meeting in Havana regarding the FAMS arrangement.
- *November 2015*.—Assessment and air carrier inspections conducted in Camaguey, Santa Clara, and Cienfuegos.
- *December 2015*.—USG meeting with Cuban Postal Service personnel in Havana to finalize plans for the start-up of direct mail service between the United States/Cuba. USG participants included reps from USPS, TSA, and CBP.
- *December 2015*.—TSAR participated in a 10-member U.S. delegation for a third round of technical talks that resulted in approval of scheduled air carrier service between Cuba and the United States.
- *February 2016*.—Air carrier inspection in Havana; initial focus visit to Matanzas Airport.
- *February 2016*.—On February 16, the U.S.-Cuba Civil Aviation Arrangement was signed in Havana for the official re-establishment of scheduled air services between the United States and Cuba.
- *March 2016*.—TSAR arranged for American Airlines to conduct refresher training.
- *May 2016*.—TSAR Mizell briefed IACC in Havana on upcoming changes to responsibilities by the airlines and the impact it will have on operations at Cuban international airports.
- *June 2016*.—Air carrier inspections in Holguin, Santiago. Start-up inspection in Cienfuegos. Airport assessment at Matanzas Airport (VAR).
- *July 2016*.—FAMS arrangement approved for charter flights.
- *August 2016*.—FAMS mission for charter flights began in Cuba.
- *August 2016*.—TSA Assistant Administrator Mr. Paul Fujimura visited two Cuban airports and met with several officials from the Cuban government.
- *August 2016*.—Inaugural scheduled flight between the United States and Cuba with TSAR and TSA compliance inspector present.
- *August 2016*.—FAMS arrangement for commercial service—drafted, approved by Department of State, forwarded to Cubans for comment.
- *September 2016*.—Meeting in Havana to discuss Ground Security Coordinator roles. Participation by IACC, TSA, and air carriers.

Upcoming Engagement:

- *October 2016*.—Airport assessments in Cayo Coco, Manzanillo. Air Carrier inspection in Varadero.
- *December 2016*.—Air carrier inspections in Santa Clara, Manzanillo, and Camaguey. Airport assessment in Cayo Largo.

SUBMITTED FOR THE RECORD
BY M. KATKO

Harvey, Krista

From: LaRossa, Connie <Connie.LaRossa@HQ.DHS.GOV>
Sent: Tuesday, September 13, 2016 1:22 PM
To: Harvey, Krista; Haynes, Cedric; O'Hara, Joan; Cohen, Rosaline; Propis, Ryan
Cc: Hoffman, Elizabeth; Turbyfill, Brian
Subject: RE: materials to consider for markup

All-
I have confirmed that there is NO SSI information in the documents that I sent you today.

Regards,
Connie

From: Harvey, Krista
Sent: Tuesday, September 13, 2016 12:43:28 PM
To: LaRossa, Connie; Haynes, Cedric; O'Hara, Joan; Cohen, Rosaline; Propis, Ryan
Cc: Hoffman, Elizabeth
Subject: RE: materials to consider for markup

Connie- Can you please provide us with confirmation that none of the information contained in these documents is SSI? An earlier version provided to the Committee by the Minority contained SSI information regarding FAMS, and was not properly labeled, in addition the document you just sent over states that:

Through these assessments, DHS has determined that:
o All of Cuba's airports serving the US. meet security requirements set forth by the International Civil Aviation Organization.
o All air carriers meet DHS' security requirements..

However, in the timeline documents it indicates that air carrier and airport inspections have not all been completed? This is just a cursory review, and we may have additional questions, but we need to make sure there is no SSI information, and that the Department is providing accurate facts to the Committee.

Please advise.

Thanks,
Krista

From: LaRossa, Connie [mailto:Connie.LaRossa@HQ.DHS.GOV]
Sent: Tuesday, September 13, 2016 12:35 PM
To: Haynes, Cedric; Harvey, Krista; O'Hara, Joan; Cohen, Rosaline; Propis, Ryan
Subject: materials to consider for markup

All-
As you prepare for legislative markup today, I offer the two attached documents for consideration regarding the Cuba aviation legislation.

Regards,
Connie

Connie LaRossa
Deputy Assistant Secretary (House)
Department of Homeland Security
(202) 282-8329 Office
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connie.larossa@hq.dhs.gov

Mr. KATKO. Now, if you look to the third page, in July 2016, there is an entry which States that Federal air marshals service arrangement approved for charter flights, do you see that?

Ms. GOWADIA. Yes, sir, I do.

Mr. KATKO. OK, and so that means that for charter flights, there has been an agreement between the Federal air marshals and Cuban government to have Federal air marshals on some of those flights, is that correct?

Ms. GOWADIA. Indeed, sir.

Mr. KATKO. OK, now if you go down to August 2016, the second entry for August 2016, it says Federal air marshals arrangement for commercial service drafted approved by Department of State and forwarded to Cubans for comment, do you see that?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. So for the non-chartered flights in August 2016, there was a draft sent to the Cuban government, is that right?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. OK, has that Cuban government signed that agreement?

Ms. GOWADIA. Not to date, sir.

Mr. KATKO. OK, so as of today are there any Federal air marshals allowed on any non-charter flights between the United States and Cuba?

Ms. GOWADIA. No, sir.

Mr. KATKO. OK. Now, so—there is another document here, ma'am, that I read from, it is an article from August 11, 2016. In that article, it quotes, it states a quote from the TSA which indicates that there was an agreement between the Cuban government and the TSA for Federal air marshals. Do you recall that article?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. OK, and I have this article——

Ms. GOWADIA. I have just received it.

Mr. KATKO. OK, and I believe you spoke about it before and that is dated August 11, 2016, is that right?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. I ask that that be entered into the record, as well. Without objection, so ordered.

[The information follows:]

ARTICLE SUBMITTED FOR THE RECORD BY HON. JOHN KATKO

U.S. TO DEPLOY FEDERAL AIR MARSHALS ON CUBA FLIGHTS

By: Amanda Vicinanzo, Online Managing Editor

08/11/2016 (10:05 pm)

The Transportation Security Administration (TSA) announced this week that the United States and Cuba have reached an agreement which will allow federal air marshals on board certain flights to and from Cuba. TSA released a statement on the decision at the request of the US-Cuba Trade and Economic Council.

TSA explained that In-Flight Security Officers (IFSOs), also known as federal air marshals, play a crucial role in aviation security. The agency plans to continue to work with Cuba to expand the presence of IFSOs on flights to and from Cuba.

"This agreement will strengthen both parties' aviation security efforts by furnishing a security presence on board certain passenger flights between the United States and The Republic of Cuba," TSA said in the statement, adding, "IFSOs serve as an active last line of defense against terrorism and air piracy, and are an important part of a multi-layer strategy adopted by the US to thwart terrorism in the civil aviation sector."

Commenting on the announcement, Rep. Michael McCaul (R–Texas), Chairman of the House Committee on Homeland Security, warned that despite the presence of federal air marshals on flights between the two countries, Americans traveling to Cuba remain at risk.

"While the agreement to allow federal air marshals on-board flights between the United States and Cuba is a positive step, the American people should have grave concerns about the level of security currently in place at any foreign airport where the host government refused to allow Congress to visit," McCaul said.

President Obama's plan to open regularly scheduled commercial air service to Cuba has been met with significant reservations. As *Homeland Security Today* previously reported, lawmakers have expressed concerns that terrorists could use Cuba as a gateway to the United States.

"The Administration is telling us that we should entrust the safety and security of American citizens to the Cuban government," Rep. John Katko (R–NY), who chairs the House Homeland Security Committee's Transportation Security subcommittee, said in a May 2016 statement. "A country that was just removed from the state sponsors of terrorism list one year ago on May 29. A country whose leaders have repeatedly derided the values and principles for which our great nation stands."

In July, Katko introduced legislation to prohibit all scheduled commercial air travel between the United States and Cuba until TSA certifies that Cuban airports have the appropriate security measures in place to keep Americans safe.

Just weeks beforehand, Katko and other members of the House Homeland Security Committee were blocked by the Cuban government from entering the country to assess security risks associated with resuming air travel between the United States and Cuba.

The first of the more than 100 daily roundtrip flights between the two countries is slated to begin at the end of this month.

http://www.hstoday.us/briefings/daily-news-analysis/single-article/us-to-deploy-federal-air-marshals-on-cuba-flights/9a674c2ceb5d4329c7a857aa4e4a81dc.html.

Mr. KATKO. In that article, they note a TSA release which said that there will be Federal air marshals on select commercial flights, is that correct?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. Isn't it true that they are really referring to just the charter flights?

Ms. GOWADIA. Sir, it is important for us to realize that the compromise, the strategy, the exact operations of our Federal air marshals is not in the best interest of aviation security.

We try to be very careful in allocating our FAMs to flights based on risk, based on threat, and certainly based on agreements. We will continue to try to expand our FAMs coverage on all flights out of Cuba and we have no reason to believe that this will not proceed on scheduled flights at this time.

To the best of my knowledge, I don't know that they will resist the ability to place FAMs on scheduled flights.

Mr. KATKO. I understand, Doctor, but if you can give me a direct answer, I would appreciate it. Then the question is simply, when you submitted that quote, there was no agreement to have any Federal air marshals on that non-charter flights, is that correct?

Ms. GOWADIA. That is——

Mr. KATKO. So you are referring to the charter flights, is that correct?

Ms. GOWADIA. Yes, sir.

Mr. KATKO. Thank you. All right, so, General Taylor. In a hearing we had on May 17, 2016, a Mr. Stodder from Homeland Security testified before us. In that hearing, he stated that there will be no flights between the United States and Cuba until Federal air

marshals are allowed to be on those flights. I ask that that be entered into the record as well. Without objection, so ordered.

[The information follows:]

EXCERPT.—FLYING BLIND: WHAT ARE THE SECURITY RISKS OF RESUMING U.S. COMMERCIAL AIR SERVICE TO CUBA?

TUESDAY, MAY 17, 2016

Mr. KATKO. Thank you. With respect to the Federal Air Marshal Service, is it your testimony that there will be no flights from the United States—from Cuba to the United States unless the Federal Air Marshal Service has been allowed to be on those flights, like they normally do elsewhere in the world?

Mr. STODDER. Yes.

[Additional information follows:]

SUPPLEMENTAL INFORMATION SUBMITTED BY DHS

DHS encourages countries with Last-Point-of-Departure air carrier service to the United States to enter into agreements or arrangements regarding the deployment of Federal Air Marshals, but it is not a legal requirement. There are many additional passenger flights to the United States from countries with which there is no such agreement or arrangement in place. DHS is exploring the possibility of negotiating an agreement or arrangement in place. DHS is exploring the possibility of negotiating an agreement or arrangement with Cuba regarding the deployment of Federal Air Marshals on scheduled flights. DHS recently completed negotiations of an arrangement that would cover charter flights.

Mr. KATKO. OK. Thank you. You just don't know what that time frame is?

Mr. STODDER. I mean, that agreement is still being under negotiation, but it is being negotiated now.

Mr. KATKO. So there will be no flights until that—until the Federal Air Marshals are allowed to be on the flights?

Mr. STODDER. Correct.

[Additional information follows:]

SUPPLEMENTAL INFORMATION SUBMITTED BY DHS

DHS encourages countries with Last-Point-of-Departure air carrier service to the United States to enter into agreements or arrangements regarding the deployment of Federal Air Marshals, but it is not a legal requirement. There are many additional passenger flights to the United States from countries with which there is no such agreement or arrangement in place. DHS is exploring the possibility of negotiating an agreement or arrangement in place, including current flights between the United States and Cuba. DHS is exploring the possibility of negotiating an agreement or arrangement with Cuba regarding the deployment of Federal Air Marshals on scheduled flights. DHS recently completed negotiations of an arrangement that would cover charter flights.

Mr. KATKO. Can you explain to me why that decision was changed and to allow these flights to have without any Federal air marshals on them?

Mr. TAYLOR. I would like to defer to Dr. Gowadia to answer that on behalf of the TSA.

Mr. KATKO. Well, OK, so you don't have an answer with that, General?

Mr. TAYLOR. No, sir.

Mr. KATKO. OK, thank you. Well, before Dr. Gowadia answers, I will just note for the record that we are again—I make it very clear like I did yesterday, we do not oppose flights to and from Cuba. That is not my job, OK? That is not—whether I do agree with it personally or not is not the question. My job is to make sure that things are as safe as possible.

In this instance, we have General Taylor agreeing with me that Federal air marshals are an integral part of the multi-layered secu-

rity apparatus. Indeed, the last line of defense for terrorism and air piracy, and we have opened up service to Cuba without having that last line of defense in place, and I think anyone who is in their right mind would tell you that is not a good idea.

That is what I am very concerned about. What I am concerned about as well is that TSA sent out a document in August before the flights started, which indicated to some extent that—or at least shaded the fact that there is going to be Federal air marshals on select commercial flights.

That gave the misimpression to the public that select commercial flights included the commercial flights, the non-charter commercial flights. Maybe Americans took solace in that into saying it is OK to going to and from Cuba, but I think that is the type of thing that causes rifts in relationships and trustworthiness between agencies and oversight persons such as myself, and I am concerned about that going forward.

There has been a rush to open up the airports in Cuba, I understand that. But we have to do our due diligence and with not even having Federal air marshals allowed on the flights categorically is not a good idea. We all know Federal air marshals aren't on every single flight and that is part of the risk base. When a bad guy gets on a flight, he knows or doesn't know of whether somebody is on it. That is important.

When they know there is nobody on it, that is a bad thing, and it pains me to bring this up in a public setting, but I do it as an example of why we need more openness and more collaborations instead of obfuscation between the agencies. With that, I don't have any further questions.

Mr. TAYLOR. Sir, if I might ask Dr. Gowadia to respond to your earlier question with regard to why that service is moving forward.

Ms. GOWADIA. Sir, I could not agree with you more. It is important that the exact deployments, the types of flights that are covered by FAMs be retained for the security enterprise of which you are definitely a part, which is why we have as many meetings with you and your staff on a regular basis. In fact, we are going to meet later this afternoon to further discuss the situation and what we are seeing and what we are learning.

As regards to the statement of my colleague from policy, he did misspeak. That is exactly why, sir, you afford us the opportunity to correct the record. Secretary Johnson did testify later, explaining that we would be continuing to work to get that memorandum in place, but just as in many other countries across the world where we do not have FAMs agreements, we will continue to pursue that. We will continue to attempt to get as many FAMs on as many flights from as many last points of departure as possible.

But we need the partnership of our international colleagues, our nation-State partners, the airlines, the airports, and we must continue to work with them in a collaborative way so that we can negotiate those agreements, share the right kinds of information, and be able to raise the level of security across the globe. That desire is constant between you and us, there is no daylight there.

Mr. KATKO. Dr. Gowadia, I agree with everything you said except one thing. You misled the American public when you issued that

press release saying that it was going to be on select commercial flights.

It did it at a time right before the flights were about to start, OK? Now, overlay that with the fact that we have no idea how the Cuban employees, all Communist Party employees, that work at the airports, there are no airline employees allowed to work there, that the Cuban government vets the employees and hires them, and we have no idea about their background or what their vetting process is to any appreciable amount other than what they tell us. We have no idea how much they are paid, we have no idea whether or not to any reasonable degree of certainty whether the machines work.

We have no TSA people on the ground in Cuba, zero, permanently stationed. You are asking permission from the Cuban government to have one stationed at the embassy. That is it. On top of that, you don't have anybody, Federal air marshals on the commercial flights, the non-charter flights. On top of that, independent sources including the *Washington Post* have said that within the last 6 to 8 months, there is been a spate of fake Cuban passports, presumably being produced in Iran being circulated in the Middle East.

So forgive us if it causes us a security concern. I agree with what you are saying, but when you directly mislead people, like that press release did, that is when I have a concern and that is when the trust between agency and oversight is deteriorated.

I ask going forward that that be fixed and I have talked to Admiral Neffenger about that, as well. With that, I yield back. The Chair recognizes the gentleman from Texas, Mr. Ratcliffe, for 5 minutes of questions.

Mr. RATCLIFFE. Thank you, Chairman, I know as many folks have mentioned this past Sunday was the 15th anniversary of 9/11, a day that I know none of us will forget.

It was a day for me that changed my life, it caused me to become a terrorism prosecutor, and as the United States attorney and the chief of anti-terrorism and National security for the Eastern district of Texas, I had the responsibility of handling dozens of international and domestic terrorism investigations involving some of the Nation's most sensitive National security matters.

So that is something that continues to influence my perspectives now as a Member of Congress. So, first of all, let me start off by thanking all of you for your dedicated service. The things that you and your employees do on a daily basis to secure our homeland from the threat of terrorism, I know it is a full-time job and then some. Because we know that terrorists are ever-adapting and constantly probing for new ways to commit the kind of atrocities that happened 15 years ago Sunday.

One of those new ways was highlighted yesterday in some news reports involving the arrests of three suspects in Germany. According to those reports, the suspects traveled from Turkey to Greece posing as Syrian refugees in Germany. This is a reason for particular concern because as we have discussed previously in hearings before this very committee, ISIS has told us that it planned to exploit the refugee system as a way to execute terrorist attacks.

Those three individuals that were arrested are reportedly associated with ISIS and therefore we are no longer talking about a hypothetical situation.

We also know that—or at least I am going to assume that none of you can provide an assurance, or I doubt that you can provide more assurance that the FBI Director and Secretary Johnson gave us in prior hearings here about immunizing us from the possibility that ISIS is infiltrating our refugee program.

So for all of those reasons, I am troubled by what the administration had announced previously about accepting 10,000 Syrian refugees and now its announcement that it has in fact met that number. But I think what is most disturbing is the news just yesterday that the President plans to set the refugee ceiling for next year at 110,000, which would be an increase of 30 percent from the 85,000 that we had in the last fiscal year.

So it would appear that despite warnings from our own top National security officials, and then independent events like what happened in Germany, that the administration is essentially doubling down on this Syrian refugee program, and so I want to ask some questions here because I will remind folks of what Director Comey said before this committee.

He said we can query our database until the cows come home but there will be nothing that shows up because we have no record of them. So let me start with you, Secretary Taylor, and maybe Director Rodriguez, you, as well. How are we making a determination that a refugee from Syria right now doesn't pose a threat to the United States if we don't have substantial information on them?

Mr. TAYLOR. Congressman, let me allow—ask Director Rodriguez to respond to that and then I will come back to this whole issue of vetting and the effectiveness of it.

Mr. RODRIGUEZ. So the first thing that I would note is 110,000 was set as an overall ceiling, so that is the whole world. So that does not necessarily tell us what the Syrian target or whether there will be a Syrian target in the future. Although I think the administration is very, very clear that we do want to provide relief there.

The fact is that many, many people, literally hundreds of the refugees that we have screened, both utilizing the various counterterrorism and law enforcement databases that we use, using our highly-trained officers who conduct interviews, using the multi-layered process that also serves as an obstacle to those wishing to exploit or seeing the refugee flow as an opportunity of something to exploit, all of those provide us a number of very powerful safeguards.

In fact, many, many people have been denied precisely because of information that has been identified in law enforcement and counterintelligence databases. An even greater number have been placed on hold because we are not comfortable. Because my officers, their supervisors are not comfortable with allowing that individual, whether they are Syrian, whether they are from Africa, whether they are from Central America, they have been denied travel because we are not comfortable. So that is the assurance that I can provide to the American people.

In fact, let's talk for a second about what Director Comey, what my boss, Secretary Johnson had said, what National Counterter-

rorism Center Director Rasmussen said, what Director of National Intelligence Clapper said.

They certainly spoke to what was in the databases at the time that they spoke, but they also, every single one of them corroborated the fact that the process that we conduct, the multi-layered, multi-feature process that we conduct is, in fact, a robust, intensive process that deserves the praise that it has received as the most intense vetting that any traveler to the United States receives.

Mr. RATCLIFFE. Well, let me comment on that. I will concede that I take some measure in comfort in knowing that our process for screening refugees is more stringent than some of our European counterparts, but despite the multi-layered process as you describe it, again, not having some assurance about being able to know for 100 percent certainty that these folks don't have terrorist ties that are coming from Syria.

I guess my follow-up question would be, once they are here, what is DHS doing to continue monitoring the refugees after they are in the United States, if anything? Again I want to give you, Secretary, a chance to comment as well.

Mr. RODRIGUEZ. Let me see if I can get it out real fast. So first of all, the individuals are subject to something called an interagency check, which is initiated prior to their being interviewed by our officers.

That is now being done as a recurrent process so that if new derogatory information arises about that person, either before or frankly even after travel, we and our law enforcement intelligence partners will be notified about that new information so that we can act on it.

The other critical thing to understand is we encounter these people 1 year after they arrive when they present themselves for adjustment of status. We do a whole new round of checks on them at that time. So new information has arisen, at that time, there is, in fact, an encounter between those individuals and one of our field office immigration officers, and that becomes an opportunity to further deal with the prospect that one of these individuals might present a problem.

Mr. TAYLOR. I wanted to just comment on the whole issue of vetting, and certainly I think both the Secretary and Director Comey were correct in stating we have less information on these individuals than let's say we would have on Iraqi refugees coming to our country just because we were involved in a war there for 10 years and there was information more readily available.

The absence of specific information on these refugees does not mean we don't have any information. In fact, the connections—I won't get specifically into how we do this, we can do that in a closed session, in terms of analytics that are used to spot connections that aren't readily apparent. So it is not that we don't have perfect information on the individuals, if some of that information is destroyed. It does not mean we can't check other data sets for data that helps us better understand who we are dealing with and to validate their stories.

Mr. RATCLIFFE. Thank you all. Again, I was sincere in my appreciation for the work that you do and for all of you being here today

to testify about these issues and I appreciate the Chairman's indulgence with respect to the time.

Mr. KATKO. Well, we were all indulged quite a bit today so—I think it led to some productive testimony, so that is no problem.

I want to thank all the witnesses for your testimony today and the Members for their questions, and my colleague as always, Mr. Thompson. The Members of the committee may have some additional questions for the witnesses and we will ask you to respond to those in writing.

Pursuant to Committee Rule VII(e), the hearing record will be held open for 10 days, and without objection, the committee stands adjourned.

[Whereupon, at 11:42 a.m., the committee was adjourned.]

APPENDIX

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR THE DEPARTMENT OF HOMELAND SECURITY

Question 1. Parallel to your time serving as the director of USCIS, Europe has faced an unprecedented number of migrants and asylum seekers reaching its borders. This has resulted in wide-spread criticism among the public and politicians here in the United States. Do you feel our refugee vetting process is stringent enough to identify possible terrorists which may be hiding among incoming refugees to the United States?

Answer. Security checks are an integral part of the U.S. Refugee Admissions Program (USRAP) for applicants of all nationalities. The refugee vetting process in place today employs the highest level of security measures of any immigrant or nonimmigrant travel program to protect against risks to our National security. U.S. Citizenship and Immigration Services (USCIS) continues to engage with law enforcement agencies and the intelligence community (IC) to ensure that vetting for all refugee applicants, including Syrians, is as robust as possible. While simultaneously advancing humanitarian and National security mandates can be a challenge, they are not at odds with one another. Instead, by adopting a strong, unequivocal position on National security, the USRAP is able to ensure that vital resettlement opportunities stay available to those truly in need of protection while remaining vigilant in safeguarding the security of our Nation.

Question 2. Some have expressed concern about our ability to vet Syrian refugees due to a perceived lack of information about this population in U.S. Government holdings, saying we should "pause" or eliminate the program entirely. Can you explain what special measures USCIS implemented to ensure the security of the integrity of the Syrian refugee program?

Answer. The Department and USCIS have been working with the IC to identify additional screening opportunities leveraging unique holdings and capabilities. Security screening continuously evolves, and new enhancements to security screening practices continuously come on-line and get refined, including during the course of fiscal year 2016. USCIS is currently testing automated processes, with manual review, for the screening of refugee applicant information against public-facing portions of specific social media platforms. Additionally, USCIS has operationalized manual social media checks for certain Syrian and Iraqi refugee cases. Additional details can be provided in a Classified setting.

Refugees are subject to the highest level of security checks of any category of traveler to the United States. Screening procedure have been expanded over time to include a broader range of checks and applicants. Screening partners include the National Counterterrorism Center, the Federal Bureau of Investigation (FBI), the Department of Homeland Security (DHS), the Department of Defense (DoD), and other IC and law enforcement members.

We continually evaluate whether additional enhancements to the vetting process are necessary. Mindful of the particular conditions of the Syria crisis, the USRAP undertakes additional forms of security screening for Syrian refugees. If National security concerns are revealed during the interview or through the screening process, Syrian refugee applications are handled according to the same adjudicative processes as all other refugee benefit applications with identified National security concerns. We continue to examine options for further enhancements for screening Syrian refugees, which can be discussed in a closed setting.

Question 3a. Some may argue that the questionnaires and interview methods used in the visa application process may be out of date, incomplete, or in need of revision to best identify possible security concerns.

What sort of information should we consider gathering from foreign nationals?

Answer. USCIS remains committed to ensuring that individuals posing a National security or public safety threat are not granted immigration benefits, and the infor-

mation we currently adduce during the visa application process satisfies any potential security concern. USCIS is also committed to preventing fraud. In keeping with this commitment, USCIS has instituted a robust system of programs, procedures, and security checks, led by the Fraud Detection and National Security Directorate (FDNS). FDNS Immigration Officers work with adjudicators in every USCIS Center, District, Field, and Asylum Office, and with our Refugee Affairs Division, to identify and investigate cases with potential National security concerns. Adjudicators are trained to identify indicators of National security concern and to refer cases to FDNS for further investigation. Officers investigating National security concerns have security clearances to allow them to access relevant derogatory information and conduct their investigation. In addition to questions related to statutory eligibility for benefits being sought, USCIS engages in comprehensive interviewing and vetting of applicants within its jurisdiction. Questions are often tailored to the facts of individual cases.

If USCIS discovers fraud in an application for an overseas beneficiary during our adjudication process, it does not forward the case to the Department of State (DoS) for consular processing. These cases are denied. USCIS documents the fraud in TECS for each case. Criminal concerns are documented in TECS, which are communicated to DoS via the Consular Lookout and Support System (CLASS). National Security Concerns are communicated to DoS both via TECS to CLASS, and USCIS includes a memorandum outlining the National security concerns that were identified.

DoS has jurisdiction over interviewing overseas applicants seeking visas to travel to the United States. USCIS defers to DoS to explain their full process, but DoS Consular Officers do use a variety of methods to elicit information from applicants during the interview process to determine their eligibility for the visa being sought. Additionally, prior to issuing a visa overseas, the State Department conducts its own background checks.

Question 3b. Does your agency have enough flexibility in its existing authorities to modernize the information we collect from foreign nationals?

Answer. The Immigration and Nationality Act (INA) empowers USCIS officers to consider any evidence when adjudicating applications and petitions. Additionally, USCIS is able to leverage a variety of different technologies during the adjudication process to identify information relevant to adjudication. As methodologies, tools, and resources all improve, expansion of investigative tools, to include social media vetting, to further scrutinize high-risk populations is planned.

USCIS screens applicants against available law enforcement and National security lookouts and records, as well as FBI biographic and biometric records. Much of this screening is automatically triggered when USCIS receives a new application or petition. In support of these screening efforts, USCIS works closely with DoS, U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement, and other partners in the IC and law enforcement community. USCIS engages with law enforcement and IC members for assistance with identity verification, acquisition of additional information, and deconfliction to ensure USCIS activities will not adversely affect an on-going law enforcement investigation.

With the advances in transforming our systems, eventual full capture of data in an electronic environment will allow the agency to conduct searches and run analytics against combinations of data that the agency previously could not do without a very labor- and logistically-intensive process. The electronic system also allows for security checks to be automatically generated at any time throughout the process, ensuring updated information is always available to USCIS personnel. Finally, all information will be accessible from one location and available immediately to those who need it.

Question 3c. Are additional resources necessary to do so?

Answer. At this time USCIS has not identified any distinct additional costs, beyond what is already included in USCIS's budget, to modernize the information it collects from foreign nationals. With the exception of the E-Verify employment status verification program, the USCIS budget is derived from user fee collections rather than discretionary appropriations. Approximately 95% of USCIS's annual budget comes from the Immigration Examinations Fee Account (IEFA), which was established under the INA by adding Sections 286(m) and (n). As authorized under INA 286(m) and (n), USCIS sets its immigration and naturalization application and petition fees at a level intended to recover the full cost of providing adjudication and naturalization services, including the costs of similar services provided without charge to asylum applicants and other immigrants. In addition, as required by the Chief Financial Officers Act of 1990, USCIS conducts biennial fee reviews of the IEFA to determine if fees being charged are sufficient to recover full costs or whether a fee update is needed. When fees need to be adjusted to recover full cost, USCIS

publishes a notice of proposed rulemaking (NPRM) in the *Federal Register* with a 60-day comment period. This is then followed by a final rule addressing the public comments received. Based on its biennial fee review of IEFA for the fiscal year 2016/2017 period, USCIS proposed a fee schedule adjustment through an NPRM published in the *Federal Register* on May 4, 2016. USCIS published the final rule on October 24, 2016 addressing public comments received on the NPRM. The revised USCIS fee schedule will be effective December 23, 2016. If additional costs associated with modernizing the information USCIS collects from foreign nationals are subsequently identified, they will be considered in the next IEFA biennial fee review for the fiscal year 2018/2019 period.

Question 4a. Does USCIS have sufficient resources to effectively adjudicate refugee and visa applications?

Are your fraud detection resources sufficient?

Question 4b. What more can be done to ensure you have the tools you need to adjudicate applications in a timely and thorough manner?

Answer. As noted in the response to Question 3, the biennial fee review conducted for the IEFA for the fiscal year 2016/2017 period indicated that a fee schedule adjustment is necessary for USCIS to recover the full costs of adjudications. Therefore, USCIS published a notice of proposed rulemaking on May 4, 2016, to adjust the fee schedule. The biennial fee review projected the anticipated level of resources necessary to achieve the agency's mission and goals, which include the effective adjudication of refugee applications and visa petitions, fraud prevention and detection, and adjudication of applications and petitions in a timely and thorough manner. USCIS published the final rule on October 24, 2016 addressing public comments received on the NPRM. The revised USCIS fee schedule will be effective December 23, 2016. USCIS is confident in the tools and processes used to adjudicate all applications and petitions.

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR HUBAN A. GOWADIA

Question 1. Dr. Gowadia, according to the testimony TSA vets all passengers travelling inbound to the United States against terrorist watch lists and that the agency can adjust its vetting in a risk-based manner to provide additional focus on specific travel patterns or locations. It is my understanding that this is the process at all last-point-of-departure airports, including those based in Cuba. Am I correct?

Answer. The Transportation Security Administration's Secure Flight Program vets all passengers on flights which are traveling into, out of, and over the continental United States, and all flights by U.S.-flagged carriers. This includes all U.S.-flagged carriers which have now begun flights to or from Cuba.

Secure Flight does have the capability to adjust vetting parameters to increase the number of passengers receiving enhanced screening at specific airports and in certain geographical areas in response to specific threat information. This capability includes any last-point-of-departure airport, including those in Cuba. If information is developed which relates to an individual passenger, Secure Flight is able to respond appropriately so that sufficient security measures can be taken.

Question 2. Currently, there are more than 100 scheduled flights between the U.S. and Cuba. Some people believe that terrorists will use Cuba as a gateway to gain entry into the United States. Does TSA have the capability, including access to intelligence, to vet passengers who are departing from Cuba?

Answer. The U.S. Department of Transportation (DOT) authorized up to 100 daily scheduled flights between the United States and Cuba. The Transportation Security Administration's (TSA) Secure Flight Program prescreens all passengers who are traveling between the United States and Cuba in the same manner as is done for all other flights from international last-point-of-departure locations. TSA checks all passengers on these international inbound flights against the Terrorist Screening Database (TSDB). Intelligence data collected world-wide by the United States is reviewed by the National Counterterrorism Center (NCTC) and the Terrorist Screening Center (TSC) to identify individuals for proper placement on the TSDB. TSA utilizes a real-time TSDB information feed via TSC's Watchlist Service (WLS) for these vetting activities, including prescreening of individuals traveling between the United States and Cuba or individuals traveling through United States airspace on their way to or from Cuba.

Question 3. According to the testimony, TSA has completed detailed vulnerability assessments and mitigation plans for over 300 airports Nation-wide. How often do these assessments and plans reoccur?

Answer. Airport operators conducted these vulnerability assessments and produced mitigation plans in collaboration with the Transportation Security Administration (TSA) to better address insider threat vulnerabilities. At this time TSA has

not made a determination on the frequency of these assessments. However, TSA continues to work with airports to assess vulnerabilities via routine inspections and assessments.

Question 4. Following an Office of Inspector General report, which exposed TSA's screening deficiencies, TSA committed to retraining the entire Transportation Security Officer workforce. Please highlight some of the changes within the TSO training program.

Answer. In response to the Inspector General's report on covert testing and the subsequent Transportation Security Administration (TSA) Tiger Team findings, TSA pursued several avenues to improve Officer training. The primary efforts include:

- Starting in January 2016, TSA transferred Transportation Security Officer (TSO) Basic Training from individual airports to the TSA Academy established at the Federal Law Enforcement Training Center in Glynco, Georgia in April 2012. This centralized training provides TSA with the opportunity to ensure a consistent training experience that supports the professional development and enhanced performance of its officer workforce. Additionally, it:
  - Allows training to be delivered in a dedicated, high-quality learning environment conducive to realistic, scenario-based training;
  - Establishes a common culture and esprit-de-corps within TSA at the beginning of a TSO's career; TSOs feel part of a larger DHS counter-terrorism organization, develop a deeper sense of mission; and
  - Ensures that training is standardized across the Agency.
- The creation of the Mission Essentials Training Series to reinforce Officers' technical skills, facilitate the sharing of best practices, and provide current intelligence as it applies to Officer screening functions. To date, the training includes:
  - *Mission Essentials*.—Threat Mitigation—Released July 2015
  - *Mission Essentials*.—Organics for the Advanced Technology X-ray—Released January 2016
  - *Mission Essentials*.—Equipment and Security Capabilities—Released April 2016
  - *Mission Essentials*.—Advanced Image Interpretation—Released August 2016.
- Initiation of Instructor-led X-ray training:
  - Developed, piloted, and trained the first ever instructor led recurrent X-ray training.
  - This training uses images based on known weaknesses, threats, and intelligence.
- The training incorporates student participation so that skilled TSOs can share best practices with their peers. The training is quarterly, with proficiency assessments. If TSOs cannot demonstrate proficiency, they receive structured remediation.

Question 5a. Dr. Gowadia, TSA's Basic Training Program requires that newly-hired TSOs participate in a 2-week long basic training program in Glynco, Georgia.

Are you noticing improvements in testing and evaluation performance following graduation from the academy?

Answer. Since the opening of the Transportation Security Administration (TSA) Academy for Transportation Security Officer Basic Training, internal covert testing results are trending up. However, the long-term effectiveness of the training can only be assessed once TSA has a large enough pool of graduates to provide statistically significant results.

Since start-up in January 2016, TSA has graduated over 5,100 new hires, which comprises approximately 14 percent of the workforce spread across the network of 440+ airports. As the numbers of Academy graduates continues to increase, TSA is looking at other ways to assess the impact that Academy training is having on TSO performance. During covert testing, reviewing when and where a TSO received basic training will allow TSA to determine if there are notable differences in Academy graduates' detection capabilities. In addition to reviewing this data as it connects to the on-going covert testing program, TSA also plans to assess what impact Academy training has on the annual performance assessment (APR) scores for its officer workforce. The Academy graduates will only begin to enter into the APR cycle in the second quarter of fiscal year 2017. At the conclusion of the 2017 performance assessment cycle TSA will be able to determine if the Academy graduates score higher in their APR than was previously achieved by those officers trained in the field. TSA will continue to use the information derived through the covert testing and APR assessment programs to update and possibly expand and/or adjust the curriculum associated with TSO basic training.

Question 5b. For single parents or those with familial needs, such as child care or they have a family who is dependent on their care, does TSA offer any sort of childcare stipend?

Answer. TSA does not have a child care stipend at this time.

Question 6. Since the retraining of all TSOs, have you noticed a significant change in TSOs feeling more united and connected to TSA's core values which includes integrity, innovation, and team spirit?

Answer. The Transportation Security Administration (TSA) has made concerted efforts to help strengthen the culture, mission, and operational knowledge through training programs specifically designed for front-line employees. In August 2015, TSA launched the Mission Essentials Training Series to reinforce Transportation Security Officers' technical skills, dedication to TSA's mission, and to share best practices in Standing Operating Procedures and detection. In addition, in January 2016, TSA began basic training for new hires at the TSA Academy at FLETC in Glynco, GA, and the Academy has a 97 percent passing rate.

Due to the recent workforce training efforts, conclusive data is not yet available to attest to a rise in Transportation Security Officers' connection to TSA's core values. TSA will measure the front line's connection to TSA's mission and core values by closely analyzing and taking action on results from the annual Federal Employee Viewpoint Survey, which is a comprehensive indicator of employee satisfaction and engagement.

Question 7a. In August, false reports of an active shooter at LAX resulted in multiple terminals being evacuated. LAX circulated a public statement to media outlets stating that, due to initial reports of an active shooter in Terminal 8 at LAX, passengers in several LAX terminals self-evacuated onto the tarmac and rushed through Federal security screening without being properly screened.

What is the process of resterilizing the secure area after it has been breached?

Answer. Each Federal Security Director in consultation with their Regional Director, the local airport authority, and other stakeholders is required to develop a Security Breach Containment Plan to include detailed evacuation and re-sterilization procedures and clearly defined procedures to isolate and immediately contain possible threats.

Question 7b. When events like at mass evacuation occur, or any event that requires passengers to seek refuge by any means necessary, how does TSA ensure that passengers are rescreened once normal business resumes?

Answer. Once a sweep of non-public locations is conducted, local Transportation Security Administration management work closely with local law enforcement and airport stakeholders to prioritize and re-screen all passengers that wish to re-enter the non-public area.

Question 8a. In August, terminals within LAX in Los Angeles, California, and JFK in New York City were evacuated due to reports of an active shooter; both were proven to be false.

When an airport needs to be evacuated, what role do TSOs play?

Answer. Federal Security Directors collaborate with airport authorities, law enforcement, and other stakeholders to support airport-wide education and to exercise evacuation plans. In addition to publishing a minimum recommended standard for airport operators to conduct bi-annual active-shooter training and exercises, TSA has distributed more than 500 copies of the "Active Shooter Incident Response Training" to airport directors and airlines and encouraged them to provide the airport-specific training to airport and airline employees.

Question 8b. Are TSOs considered first responders in an emergency situation?

Answer. TSOs are not considered first responders in an emergency situation. TSOs are instructed to give way to law enforcement and other emergency personnel during an active-shooter event. Afterwards, the law enforcement agency in control of the situation will deem the area safe and turn operational control back over to TSA, or the Airport Authority, as necessary.

Question 8c. How often do TSOs practice evacuation plans or have evacuation drills?

Answer. Federal Security Directors are required to conduct emergency evacuation drills for all assigned personnel a minimum of twice a year.

Question 9a. During the recent JFK evacuation, security guards and custodial workers revealed that they were not made aware of airport evacuation plans. How often are airport employees and contract workers trained on airport evacuation plans?

Answer. Airport evacuation plans are developed by airport authorities in concert with stakeholders. TSA is one of these stakeholders. Approximately 80 percent of Federalized airports have a schedule of exercises and training, which are conducted jointly with TSA and other stakeholders including airport and airline tenants, law

enforcement officers, and fire and medical personnel. Additionally, 90 percent of airports have a plan for establishing a unified command. TSA has also published a minimum recommended standard for airport operators to conduct bi-annual active-shooter training and exercises.

Question 9b. What efforts has TSA taken to work with airports to ensure that airport employees and contract workers are properly educated on airport evacuation protocol?

Answer. Federal Security Directors collaborate with airport authorities, law enforcement, and other stakeholders to support airport-wide education and to exercise evacuation plans. In addition to publishing a minimum recommended standard for airport operators to conduct bi-annual active-shooter training and exercises, TSA has distributed more than 500 copies of the "Active Shooter Incident Response Training" to airport directors and airlines and encouraged them to provide the airport-specific training to airport and airline employees.

Question 10. When an airport does table-top exercises regarding active shooting situations, are other DHS entities such as Customs and Border Protection Immigration and Customs Enforcement involved?

Answer. Airports are encouraged, but not required, to exercise in all emergency situations with other Department of Homeland Security entities, local stakeholders, and State and local law enforcement, as deemed appropriate for the purposes of that specific exercise. Although it is not required, these entities do coordinate closely with each other. Pursuant to the Gerardo Hernandez Airport Security Act of 2015 (Pub. L. 114–50), the Transportation Security Administration (TSA) conducted outreach regarding security incident response at airports, and determined that approximately 80 percent of Federalized airports have a schedule of joint exercises and training, and conduct them with TSA and other stakeholders to include airport and airline tenants, law enforcement officers, and fire and medical personnel. Additionally, 90 percent of airports have a plan for establishing a unified command.

Question 11. On November 1, 2013, a lone gunman entered a terminal within the Los Angeles International Airport killing 1 TSO and wounding 3 others. How has active-shooter training for TSOs been updated since the tragedy that occurred at LAX?

Answer. In response to the tragic incident at Los Angeles International Airport (LAX), the Transportation Security Administration (TSA) mandated all employees view the *Run, Hide, Fight* video created by the Houston Police Department. TSA also mandated that all employees take the Federal Emergency Management Agency (FEMA) Active Shooter course that also addresses response techniques in the case of an active-shooter event.

In 2014, TSA developed a new training video titled, *Active Shooter Incident Response Training,* specifically depicting active-shooter incidents in an airport environment. The interactive video was developed in partnership with industry partners, and captures a joint training exercise between the TSA, airport and airline tenants, as well as law enforcement, airport police, and other stakeholders. The training is designed to reinforce the widely-accepted active-shooter response reactions of Run-Hide-Fight and built upon materials presented in previous training courses. Also included was information that would help the workforce recognize how to respond when an active shooter is in the vicinity, and identify how to interact with Law Enforcement Officers who are responding to an incident. This training is an annual requirement for the entire TSA workforce and is geared towards airport environments. This training is required annually of all TSA employees.

Further, in July of 2014, TSA incorporated a scenario-based exercise into its training course for its Lead Transportation Security Officers (LTSOs) that is delivered at the TSA Academy at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. The exercise for the LTSOs is designed to allow the officers to experience a simulated active-shooter incident. TSA will introduce this same type of simulated exercise into the new hire TSO Basic Training delivered at the TSA Academy in January 2017.

Question 12. TSO morale has been historically low. These individuals perform a thankless job day in and out, yet often they receive ridicule and harsh criticisms in hard times, and little praise when things are going right. Just recently, Secretary Johnson praised their efforts in addressing wait times without compromising security throughout the peak travel period. What are you doing to boost morale and ensure it stays high?

Answer. The Transportation Security Administration (TSA) is taking many steps to improve morale among the workforce. TSA analyzes results from the workforce opinion surveys, such as the Federal Employee Viewpoint Survey (FEVS), on an annual basis and targets high-priority areas for improvement through local (e.g. airport, office, corporate) and TSA-wide action plans. TSA focuses on improving over-

arching leadership communication to the workforce and employee engagement in problem solving. TSA has responded to employee feedback in the following ways:

- Solicited input on agency improvements from the workforce through its IdeaFactory, an on-line forum for TSA employees to engage and share ideas.
- Conducted action planning at the corporate, local, and team level. Recently launched at 10 large airports, these teams have seen improvements in key areas such as communication and career development.
- Built competency-based performance management systems for all employees that allow supervisors and managers to recognize and reward high performers through salary increases and performance awards.
- Implemented the Operations Network for Employees (ONE) initiative to foster collaborative and productive working relationships between headquarters and the front-line workforce. This is a multi-phase initiative, which includes bringing field employees to TSA headquarters to act as a voice for their peers and to gain a better understanding of how decisions are made and how programs are deployed to the field.
- Established the TSA Academy at the Federal Law Enforcement Training Center (FLETC), Glynco, Georgia, at which newly-hired Transportation Security Officers (TSOs) receive basic training in screening operations.
- Introduced a series of training courses for its front-line TSA leadership team, to include Leads, Supervisors, and Managers. These courses focus on helping the leadership team understand how to use communications tools and practices to build a strong professional screening team at the checkpoint and baggage screening areas. The use of TSA's Training Academy, located at FLETC has yielded positive feedback from the attendees and has demonstrated TSA's commitment to the development of a professional workforce.
- Modified the staffing model to add time at the start of each shift, for airport shift briefings to encourage consistent communication to front-line employees.
- Increased transparency of the criteria for making screening workforce performance awards, and worked to ensure rating fairness among airports.
- Created a learning, engagement, and career development web site called Success U, to give employees the information and resources necessary to build their skills. Nearly 50,000 unique employees visited the site in its first year of operation.
- Launched a blog called "LEAD!" targeted towards mid- and senior-level leaders to stress the importance of communication, collaboration, and motivation and to provide examples of good engagement practices.
- Implemented the TSA Mentoring Program to provide interested employees with mentors who can provide career coaching and other support.
- Expanded the eligibility of the Leadership Education Program to include lower-banded employees and increased the course offerings from prestigious universities around the country in order to make the program more accessible, effective, and relevant.
- Established an Associate's Program that allows TSA personnel to continue their education and obtain an AA degree. TSA established agreements with several educational institutions, mostly community colleges, across the country to allow the workforce, primarily TSOs, to continue their education. As of January 2016, 240 airports, including their spokes, have partnered with colleges offering distance learning courses, and the program continues to grow.
- Revised time frame from 2 years to 1 year for being promoted from the D–Band TSO to E–Band TSO. TSA recognized that requiring individuals to serve an additional year to be eligible for promotion impacted the recruitment and retention of qualified staff.
- Initiated action during the summer of 2016 to convert part-time TSOs to full-time status. This action supported TSA's operational needs at select airports and it also resulted in providing part-time TSOs the opportunity to convert to full-time status. TSA's goal is to have a 90%/10% ratio of full-time to part-time TSOs at these locations.
- Approved paid parking for the screening workforce at all airport locations (individuals receiving transit subsidies are not eligible for this program).
- Continued the retention incentive program for TSOs at hard-to-hire locations. These incentives allow TSA to compete with the private sector in the recruitment and retention of qualified staff.

Question 13. TSA was able to address the wait times issue through increased overtime and the conversion of TSOs from full-time to part-time due to increased funding from Congress. Knowing that travel is expected to steadily increase, are you concerned that funding is needed year over year to ensure the number of employee continues to be sufficient to match travel trends?

Answer. The Transportation Security Administration (TSA) will carefully monitor passenger growth and the ability for the workforce to accommodate future operational demands. With support from Congress, TSA was able to realign funding to bring on additional Transportation Security Officers and is better positioned to handle volume growth for fiscal year 2017. In addition, Congress approved TSA to maintain current staffing levels during the fiscal year 2017 Continuing Resolution. However, a baseline adjustment is required to posture TSA for the long term in order to avert yearly requests. TSA is in the process of evaluating resource requirements for next summer and future years based on operational needs to ensure security effectiveness while maintaining passenger efficiency. As part of the evaluation process, TSA is in coordination with its stakeholders, such as the Federal Aviation Administration, airport operators, and airlines, to obtain predictors of passenger volume; So far the results provided identified continued passenger growth in fiscal year 2017 and beyond. TSA constantly performs analysis of alternatives that include possible technological and process-related improvements for checkpoint efficiency that do not risk degrading security effectiveness.

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR KEVIN MCALEENAN

Question 1a. Earlier this summer, CBP issued a 60-day public notice and request for comment on the collection of social media information for individuals traveling to the United States under the Visa Waiver Program. We understand that on August 31, 2016, CBP extended the period for public comment for an additional 30 days. The notice indicates that providing this information would be optional, and that the data elements collected will enable CBP to screen visitors for potential risks to National security and admissibility to this country, as well as serve as contact information for travelers.

Can you please describe the responses you have received thus far for this request for comment?

Answer. U.S. Customs and Border Protection (CBP) received 3,991 comments from the public on the 60- and 30-day notices. The comments covered: General support for or opposition to adding social media handles to the Electronic System for Travel Authorization (ESTA) application; the authority and process for collecting and using this information; and, most frequently, the potential impact it could have on privacy and speech.

Question 1b. How does CBP intend to use this feedback?

Answer. As it does with any other public feedback, CBP will evaluate all comments and determine if any provide substantive information that might be useful in changing the proposed question that is pending incorporation within the ESTA application. CBP will also publicly post comments to the comments in accordance with the established process for responding to Paperwork Reduction Act notices.

Question 1c. How would CBP authenticate or confirm that the social media identifiers provided are truly associated with the person seeking to enter the United States?

Answer. Information found in social media will enhance the vetting process and be used, along with a range of other information provided by the traveler, to review ESTA applications to validate legitimate travel, adjudicate Visa Waiver Program (VWP) ineligibility waivers, and identify potential threats. CBP has a layered approach to security and social media identifiers collected via the ESTA application would only be one component. While there may be the potential for an applicant to provide false or inaccurate information, CBP verifies identity though a variety of mechanisms.

Question 1d. Will these identifiers be protected in a similar way as other personally identifiable information?

Answer. Yes. CBP will handle social media identifiers in the same manner as other information collected through ESTA. DHS has documented these procedures in the updated ESTA System of Records Notice (SORN) and Privacy Impact Assessment (PIA), which are available on the DHS website *(www.dhs.gov/privacy).*

Question 1e. Can you please explain how this data would be used to enhance the screening of foreign travelers?

Answer. Information found in social media will enhance the vetting process and be used to review ESTA applications to validate legitimate travel, adjudicate VWP ineligibility waivers, and identify potential threats. If an applicant chooses to answer these questions and an initial vetting by CBP indicates possible information of concern, a highly-trained CBP Officer will have timely visibility of the publicly available information on those platforms, consistent with the privacy settings the applicant has chosen to adopt for those platforms, along with other information and tools CBP officers regularly use in the performance of their duties.

Social media may help distinguish individuals of additional concern from those individuals whose information substantiates their eligibility for travel. For example, social media may be used to support or corroborate a traveler's application information, which will help facilitate legitimate travel by providing an additional means to adjudicate issues related to relevant questions about identity, occupation, previous travel, and other factors. It may also be used to identify potential deception or fraud.

Question 2. I understand that DHS plans to house a social media "cell" at CBP's National Targeting Center (NTC) in the near term. Can you please share the progress of establishing this social media cell at the NTC?

Answer. In December 2015, the Department stood up a Social Media Task Force, which has explored options to improve the Department's use of such data for vetting purposes. As part of this effort, DHS is creating an organizational structure to oversee, coordinate, and facilitate Department efforts to expand social media screening and vetting use across DHS mission sets. DHS intends to deploy this capability from the National Targeting Center (NTC). To date, Social Media Task Force members have completed multiple successful pilots. DHS has partnered with industry to push technology forward to meet Department needs. The Task Force is finalizing an implementation plan and funding strategy that uses a fee-for-service model to guarantee all DHS components will benefit from the expertise and technology innovation to ensure mission success.

Question 3a. Secretary Jeh Johnson directed CBP to redouble its effort to establish a biometric entry-exit system and to begin implementing a biometric exit system at airports, starting at those with the highest passenger volume, by 2018. I understand that over the past year CBP launched four targeted biometric entry-exit pilot projects at the top international airports and at one pedestrian crossing on the Southwest Border.

What time line has CBP adopted to evaluate and consolidate the results of these pilots?

Answer. CBP completed the technical evaluation of the facial comparison pilot at Dulles International Airport earlier this year. The success of the facial comparison pilot prompted CBP to operationally deploy the technology to both JFK International Airport and Dulles International Airport. The technical evaluations for Biometric Exit Mobile and Pedestrian Entry/Exit in Otay Mesa are still both being compiled and should be completed by the end of the 2016 calendar year. CBP is also currently testing the ability of our IT infrastructure to support future biometric operations with technology in Atlanta. The results of these pilots will inform the concept of operations for biometric exit as we move forward with implementation.

Question 3b. What is the time line for implementing the use of biometric exit technology at ports of entry?

Answer. CBP will begin deployment of biometric exit in fiscal year 2018, starting with the largest gateway airports.

Question 3c. What roles will CBP's partners and stakeholders in private industry, including airlines and airports, play in this process?

Answer. CBP's vision is to work extensively with airlines and airports in implementing a biometric exit process in order to minimize the impact on legitimate trade and travel. CBP does not plan to develop a biometric exit solution without private-sector involvement, and will use other successful public/private partnerships such as Automated Passport Control kiosks in order to deploy this new capability.

Question 3d. How does CBP intend to memorialize the findings from these various pilots for use by the next administration?

Answer. CBP will continue to work toward deployment of a biometric air exit capability through the transition and into the next administration.

Question 4a. Secretary Johnson has committed to working toward enhancing maritime cargo security. Most notably, in May 2016, DHS published a Request for Information (RFI) entitled "Strategies to Improve Maritime Supply Chain Security and Achieve 100 percent Overseas Scanning," which sought recommendations and information to achieve the mandate for 100 percent scanning (both NII imaging and radiation detection) in foreign seaports of all U.S.-bound maritime containerized cargo.

Could you please describe the response received to this RFI?

Answer. On May 2016, the Department of Homeland Security (DHS), via the Domestic Nuclear Detection Office (DNDO) issued a "Request for Information (RFI): Strategies to Improve Maritime Supply Chain Security and Achieve 100 percent Overseas Scanning," which sought recommendations from a broad range of responders, including industry, providers of supplies and services, as well as the non-vendor stakeholder community and non-traditional contractors to improve the security of maritime containerized and non-containerized cargo departing foreign seaports bound for the United States and protect against radiological and nuclear threats.

Specifically, DHS requested information from industry on various systems and alternative approaches, not limited to a single technology or single deployment strategy, that could be an innovative solution to maritime cargo screening and/or scanning. DHS received 25 submissions from the private-sector and academic institutions. Most of the responses addressed some aspect of the RFI, provided solutions that met the overarching goal, addressed ways to achieve 100 percent scanning, improve global radiological/nuclear detection capabilities, and reduce the amount of nuclear and radioactive materials out of regulatory control in the shipping environment.

Question 4b. Since this RFI is one of the first steps in its procurement process, what is DHS's time line for moving forward with its next steps?

Answer. An RFI may or may not be the first step in a procurement process. Its purpose is market research, not necessarily to begin a procurement. On occasion the RFI demonstrates that the marketplace does not yet have a solution to the agency's needs. In September 2016, DHS conducted follow-up discussions with 12 RFI respondents who demonstrated viable solutions that can help achieve the 100 percent scanning mandate. In particular, DHS met with responders who had a technical solution we were previously unfamiliar with, a potentially unique, paradigm-shifting idea, or who discussed certain aspects of maritime security (data integration/analysis, data fusion, image transfer, etc.). DHS will now begin reviewing the additional information and discuss options and next steps for pursuing 100 percent scanning. This includes identifying and prioritizing near-term vs. long-term strategies, identifying where we are already piloting enabling technologies that could be leveraged for 100 percent scanning, and exploring new policy ideas which could facilitate 100 percent scanning. This information, as well as ideas for how progress toward 100 percent scanning could be made will be conveyed to the next administration. In late calendar year 2017, DHS could be in a position to potentially test viable solutions, ideas and technologies as appropriate and as feasible. Any potential activities or pursuits will be subject to resource availability and industry engagement.

Question 4c. How is DHS going to ensure that these efforts are carried on in the next administration?

Answer. DHS will ensure that the RFI-related efforts (e.g., potential or viable solutions, pilot program considerations, etc.) are briefed to the current administration, as well as the next administration via internal discussions, transition memos, etc. DHS will also respond to requests for briefings from Congressional committees and staff.

Question 5a. Recently, the committee has learned of complaints from airline pilots and crew who have been sent for secondary inspection upon arrival in the United States, alleging the CBP Officers conducting the examinations were not professional in their conduct.

What factors might prompt pilots and crew to be identified for additional screening upon arrival?

Answer. CBP takes allegations of employee misconduct very seriously and has instituted policies pertaining to abuses of authority. Complaints of unprofessional conduct are recorded, investigated, and appropriate action is taken against CBP Officers who are found to have violated policy. However, the Privacy Act of 1974 generally prohibits the disclosure of records reflecting discipline toward CBP personnel.

All persons, baggage, and other merchandise arriving in or leaving the United States are subject to inspection and search by CBP Officers. Various laws enforced by CBP (including 8 U.S.C. § 1A 1357 as well as 19 U.S.C. §§ 482, 1433, and 1459) authorize such inspections. As part of the inspection process, CBP Officers, among other things, verify the identity of persons, determine the admissibility of travelers, and look for possible terrorists, terrorist weapons, controlled substances, and a wide variety of other prohibited and restricted items.

Similar to any other person entering the United States, crewmembers may be potentially referred for secondary inspection. The reasons may include having the same or similar name as a wanted person, verification of crewmember identity and status, expired passport and/or visa, undisclosed merchandise, other items, or agricultural issues As for concern about being referred for inspection, in fulfilling its inspectional responsibilities under the law, CBP cannot guarantee that any traveler, whether a commercial air crewmember or otherwise, will not be referred for a secondary inspection. However, for any travelers that have difficulties or questions related to undergoing inspection, they may ask to speak with a supervisor, who is always available to address any CBP processing issues.

Question 5b. Can you please describe the standards, protocols, or guidance CBP Officers are to adhere to when conducting secondary inspections like these?

Answer. Secondary inspections are conducted as efficiently as possible to minimize the time a passenger or crewmember spends in the secondary inspection area waiting to be cleared. Although priorities exist as to the threat level of those referred

for secondary inspection, every effort is made to clear secondary passengers in the order they are referred. It is important to note that crewmembers usually receive priority processing in secondary as operational conditions allow.

Question 6a. The Committee has received complaints regarding a lack of professionalism among CBP employees conducting secondary inspections of airline pilots and crew, particularly at Miami International Airport. I understand that preventing dangerous people and goods from entering the United States, particularly on flights returning from high-risk locations, is an essential part of CBP's mission and strongly support your efforts in this regard. At the same time, the traveling public, including airline personnel, should be treated with professionalism by CBP personnel conducting such inspections.

With that in mind, how does CBP determine when additional inspection of airline personnel is necessary?

Answer. All persons, baggage, and other merchandise arriving in or leaving the United States are subject to inspection and search by CBP Officers. Various laws enforced by CBP authorize such searches, including 8 U.S.C. § 1357 and 19 U.S.C. § § 482, 1581, and 1582. As part of the inspection process, CBP Officers must verify the identity of persons, determine the admissibility of travelers, and look for possible terrorists, terrorist weapons, controlled substances, and a wide variety of other prohibited and restricted items.

Crewmembers could potentially be referred for secondary inspection for many of the same reasons as regular passengers such as, same or similar name as a wanted person, verification of crewmember identity and status, expired passport and/or visa, merchandise or other undisclosed items, or need for agricultural inspection. As for concern about being referred for secondary inspection, CBP cannot guarantee that any traveler (including crew), will not receive a protracted CBP inspection. However, if difficulties persist, travelers may ask to speak with a supervisor who is always available to address any CBP processing issues.

Question 6b. Are there protocols for conducting such inspections?

Answer. The protocols are the same as indicated above.

Question 6c. What specific steps does CBP take in the secondary environment to ensure that inspections of airline personnel, and the traveling public generally, are conducted appropriately?

Answer. The secondary inspection area, along with primary inspection and other areas of CBP processing, is closely monitored by Supervisory Customs and Border Protection Officers to ensure that officers are properly conducting all inspections in an effective and efficient manner. Management oversight of all operations, to include secondary inspection operations, is critical to an effective and professional process.

QUESTIONS FROM RANKING MEMBER BENNIE G. THOMPSON FOR DANIEL H. RAGSDALE

Question 1a. ICE's Visa Security Program currently operates at 26 high-risk or high-volume visa issuing posts overseas, helping to screen visa applications for possible security, criminal, or inadmissibility concerns. I would like to see the program operational at as many posts as necessary to help ensure security, as well as implementation of remote vetting of visa applications by your agency where it is not possible or practicable to have ICE personnel physically present.

Is ICE considering further expanding the program?

Answer. As of September 30, 2016, the U.S. Immigration and Customs Enforcement (ICE) Visa Security Program (VSP) screens nonimmigrant visa applications at 30 visa-issuing posts in 25 countries, the locations of which are Law Enforcement Sensitive. fiscal year 2016 saw the expansion of VSP operations to 5 additional posts in 5 countries. Coupled with the fiscal year 2015 VSP expansion, which consisted of 6 expansion posts, ICE has expanded the VSP by 11 posts in 2 years. ICE is committed to expansion of the Visa Security Program.

Question 1b. How many additional posts should be a priority?

Answer. ICE VSP conducts an annual site selection process to determine expansion; this list of potential sites is constantly changing due to emerging threats and situational intelligence. ICE considers a number of factors, including a country-based risk evaluation, the operational value of deployment, and the feasibility of establishing operations. ICE further narrows the list of potential sites by considering regional need and post support to ensure deployment to posts that would be most effective and valuable to the VSP mission. Once expansion post sites are identified, ICE submits a formal request to the Department of State for deployment and approval.

Question 1c. What resources would be necessary to deploy additional locations and implement remote vetting?

Answer. On average, it costs ICE approximately $2.7 million to establish an overseas post. It is important to note that the cost of opening a post can vary greatly depending on location and timing. Once established, the annual cost of maintaining an overseas post is approximately $2.2 million to $2.3 million. Section 6(a) of the 2003 "Memorandum of Understanding Between the Secretaries of State and Homeland Security Concerning Implementation of the Homeland Security Act of 2002" specifies that the U.S. Department of Homeland Security shall identify the diplomatic and consular posts where VSP posts are to be established and provides that such decisions be made in accordance with National Security Decision Directive (NSDD) 38. This gives the Chief of Mission (COM) control of the size, composition, and mandate of overseas full-time mission staffing for all U.S. Government agencies. Currently, physical expansion to a post, which is often governed by space limitations, is ultimately approved by the COM pursuant to the NSDD–38 process. Additionally, as VSP continues to expand its operational footprint, additional domestic support elements will be required, such as program managers, analysts, and mission support personnel.

Expansion of VSP operations with a dedicated ICE Special Agent remains the program's stated model. ICE VSP has evaluated multiple remote screening and vetting scenarios and found that the investigative value of remote screening is limited, and that operations are often unsustainable without a dedicated VSP Special Agent. Further, the ICE VSP is more than a screening program. A post that is serviced by a dedicated ICE special agent enables direct coordination at post with other law enforcement, intelligence, and host government entities to exploit and investigate suspect visa applicants instead of simply denying travel. Without leveraging these capabilities, the VSP's ability to operate as a counterterrorism tool designed to identify, investigate, and disrupt illicit travel and illicit pathways is compromised. Consequently, at this time ICE VSP seeks expansion via deployment of a trained ICE Special Agent only.

Question 2. According to your written testimony, in fiscal year 2015, the VSP reviewed over 2 million visa applications, including approximately 8,600 cases in which visas were refused. Of these denials, over 2,200 applicants had some suspected connection to terrorism or terrorist organizations. Based on ICE's first-hand interaction with visa applicants and your partner agencies at visa issuing posts overseas, how can we improve the visa vetting process to enhance security and prevent those with terrorist ties from exploiting the visa process to travel to the United States?

Answer. As of September 30, 2016, the VSP screens nonimmigrant visa applications at 30 visa-issuing posts in 25 countries, the locations of which are Law Enforcement Sensitive. In fiscal year 2016, the VSP expanded operations to 5 additional posts in 5 countries. Coupled with the fiscal year 2015 VSP expansion, which consisted of 6 expansion posts, ICE has expanded the VSP by 11 posts in 2 years. These efforts resulted from an $18 million enhancement appropriated to the VSP in fiscal year 2015.

Concurrently, the VSP's capabilities further enhance the visa screening process by utilizing ICE's broad authorities. The VSP is unique among screening efforts in that it does not simply recommend the denial of travel; instead, it leverages ICE's capabilities during the visa application process to exploit suspect travelers in an effort to identify unknown threats and potential violations of criminal law. The VSP is currently working to utilize analytical resources to identify trends and patterns from VSP vetting efforts, to further enhance the investigative mission of the VSP.

Question 3a. DHS, through CBP and ICE, has partnered with the Department of State to develop the Pre-Adjudicated Threat Recognition Intelligence Operations Team, or PATRIOT-an automated program used to vet all on-line visa application data through CBP's Automated Targeting System prior to visa application adjudication.

To what extent does PATRIOT play a role in preventing misuse of the visa application process by terrorists or other high-risk or inadmissible travelers?

Answer. U.S. Immigration and Customs Enforcement's (ICE) Pre-Adjudicated Threat Recognition Intelligence Operations Team (PATRIOT), an interagency endeavor with U.S. Customs and Border Protection (CBP) and the Department of State (DOS), enhances the Visa Security Program's (VSP) ability to maximize the visa process as a counterterrorism tool to identify and investigate potential terrorists, criminals, and other aliens ineligible for a visa prior to travel. VSP PATRIOT significantly expands ICE's investigative and intelligence capabilities through focused rules-based screening of non-immigrant visa (NIV) applicants at VSP posts. VSP PATRIOT provides deployed ICE Special Agents with relevant information

prior to conducting interviews and other investigative activities, to focus their efforts on those applicants who pose the greatest risk without adversely impacting individuals seeking to engage in legitimate travel. VSP PATRIOT bolsters the U.S. Department of Homeland Security's (DHS) investigative scope and capabilities to provide actionable leads to ICE offices, both domestic and abroad.

Question 3b. Why is PATRIOT an important part of the vetting process?

Answer. Through PATRIOT, the VSP screens 100 percent of NIV applications at VSP posts prior to DOS Consular Affairs (CA) adjudication. VSP PATRIOT utilizes law enforcement, open-source, and Classified systems to identify and address intelligence gaps prior to an applicant being interviewed by CA. Via the PATRIOT platform, the VSP provides a unified DHS response to DOS on both eligibility and admissibility concerns prior to a visa being issued. VSP PATRIOT assists DOS in the reduction of Security Advisory Opinions submitted by addressing potential concerns in the pre-screening process.

Question 3c. Does ICE have plans to expand the PATRIOT program to meet changes in the visa application threat stream?

Answer. Since fiscal year 2009, ICE has expanded VSP operations to an additional 20 visa issuing posts in 18 countries. As a result, VSP now screens 30 visa-issuing posts in 25 countries, representing nearly a three-fold increase to VSP's footprint in that time; at each of these posts, VSP operations include PATRIOT screening and vetting.

Question 4a. Your shared testimony includes a general description of the new DHS Special Interest Alien Joint Action Group, which was established in June of this year and has produced a plan of action signed by Secretary Johnson just a few weeks ago.

What role do CBP and ICE have on this Joint Action Group?

Question 4b. What other agencies participate?

Question 4c. How does this new Joint Action Group coordinate with other interagency task forces or working groups both within and outside the Department?

Question 4d. What differentiates its mission from other groups, such as the Southern Border Joint Task Force?

Question 4e. Is there an overlap in activities?

Question 4f. Are there protocols or measures in place to minimize redundancy?

Answer. The Deputy Director of U.S. Immigration and Customs Enforcement (ICE) is a Principal of the Special Interest Aliens Joint Action Group. ICE also has operations and intelligence personnel as members.

The Special Interest Alien (SIA) Joint Action Group (JAG) was formed at the direction of Secretary Johnson in late June to ensure that the Department was maximizing its ability, internally and in partnership with other U.S. Government and foreign partners, to disrupt human smuggling networks and the ability of SIAs to reach U.S. borders. The JAG briefed the Secretary on its recommendations in August 2016. While the JAG will continue to operate to ensure implementation of its recommendations, it is not envisioned as a long-term or permanent body with an operational role, and therefore is not expected to duplicate or be redundant with other bodies.

In response to your specific questions, U.S. Customs and Border Protection and ICE are represented in the JAG through their Deputy Commissioner and Deputy Director, respectively; along with the Deputies from the Office of Intelligence and Analysis, the Office of Policy, the U.S. Coast Guard, the Office of Public Affairs, and U.S. Citizenship and Immigration Services, with participation from the Joint Task Forces. The JAG focused its deliberations internally within the Department, but the Department is conducting outreach with other key departments and agencies, to include the Departments of Defense, State, and Justice, the Office of Management and Budget, and the intelligence community to discuss issues of shared responsibility or where departments other than DHS have a lead role in addressing human smuggling. Participants in the SIA JAG and other DHS personnel also participate in a number of interagency task forces and working groups, many of which provide venues to discuss, and seek to implement, the JAG's recommendations.

We would be pleased to brief the committee on the SIA JAG recommendations and plans for implementation.

Questions From Honorable William Keating for Daniel H. Ragsdale

Question 1a. The recent high-profile hacking conducted by Russia on the Democratic Party, and cybersecurity attacks claimed by the Islamic State Hacking Group earlier in the year, highlight the dangers of nefarious actors infiltrating U.S. computer systems. One area that is of great concern is that of our general election systems. While the director of the Homeland Security Department has publically stated

he is not aware of any cyber threats against voting machines, many cyber experts claim our machines remain vulnerable.

How is the Department of Homeland Security working with States to ensure that our voting machines remain immune to hacking or tampering?

Question 1b. What relationship does the Department have with the U.S. Election Assistance Commission or the Federal Election Commission?

Question 2a. Last month, Director Johnson suggested the Federal Government label election systems as official U.S. critical infrastructure.

How would such as a classification help improve the Department's ability to protect elections?

Question 2b. What are some of the criticisms to classifying elections as critical infrastructure?

Answer. We have confidence in the overall integrity of our electoral systems. It is diverse, subject to local control, and has many checks and balance built in. Nevertheless, we must face the reality that cyber intrusions and attacks in this country are increasingly sophisticated, from a range of increasingly capable actors that include nation-states, cyber hacktivists, and criminals. In this environment, we must be vigilant.

Since August, Secretary Johnson of the Department of Homeland Security (DHS) has hosted several phone calls with election officials from across the country and representatives from the U.S. Election Assistance Commission, the National Institute of Standards and Technology, and the Department of Justice to discuss the cybersecurity of election infrastructure. The Secretary began by recognizing the important work State and local officials across the country have already begun to reduce risks and ensure the integrity of their elections. He also emphasized that cyber experts at DHS are available to assist State and local election officials in securing their systems, just as we do for businesses and other entities across the spectrum of the private and public sectors. This includes the most cybersecurity sophisticated businesses in corporate America.

It is important to emphasize that, DHS's assistance is strictly voluntary and for support only. And, DHS's assistance does not entail regulation, binding directives, and is not offered to supersede State and local control over the process. The following DHS services have been offered to State and local officials.

Cyber hygiene scans on internet-facing systems.—These scans are conducted remotely, after which we can provide State and local officials with a report identifying vulnerabilities and mitigation recommendations to improve the cybersecurity of systems connected to the internet, such as on-line voter registration systems, election night reporting systems, and other internet-connected election management systems. Once an agreement to provide these services is reached, DHS can complete this scan and provide the report within 1 week. This can be followed by weekly reports on an on-going basis. Many State and local agencies are already employing DHS cyber hygiene scans on parts of their networks.

Risk and vulnerability assessments.—These assessments are more thorough and done on-site by DHS cybersecurity experts. They typically require 2–3 weeks and include a wide range of vulnerability testing services, focused on both internal and external systems. When DHS conducts these assessments, we provide a full report of vulnerabilities and recommended mitigations following the testing. Given resource and time constraints, we can only conduct these assessments on a limited, first-come, first-serve basis.

Incident Response.—The National Cybersecurity and Communications Integration Center (NCCIC) is DHS's 24×7 cyber incident response center. We encourage State and local election officials to report suspected malicious cyber activity to the NCCIC. Upon request, the NCCIC can provide on-site assistance in identifying and remediating a cyber incident. Information reported to the NCCIC is also critical to the Federal Government's ability to broadly assess malicious attempts to infiltrate election systems.

Sharing of best practices.—DHS is publishing best practices for securing voter registration databases and addressing potential threats to election systems from ransomware.

Field-based cybersecurity advisors and protective security advisors.—DHS has personnel available in the field who can provide actionable information and connect election officials to a range of tools and resources available to improve the cybersecurity preparedness of election systems and the physical site security of voting machine storage and polling places. These advisors are also available to assist with planning and incident management assistance for both cyber and physical incidents.

Physical and protective security tools, training, and resources.—DHS provides advice and tools to improve the security of polling sites and other physical election infrastructure. This guidance can be found at *www.dhs.gov/hometown-security.* This

guidance helps to train administrative and volunteer staff on identifying and reporting suspicious activities, active-shooter scenarios, and what to do if they suspect an improvised explosive device. Officials can also contact a local DHS Protective Security Advisor.

Finally, DHS is working to raise the level of cybersecurity in our electoral infrastructure over the long term. To help develop this plan, DHS has established an experts group comprised of academics, independent cybersecurity researchers, and Federal partners. A number of States have reached out to us with questions or for assistance. We strongly encourage more State and local election officials to do so.

Question 3a. One of the ways the Homeland Security Committee, and the Terrorism Subcommittee in which I am Ranking Member, has sought to degrade ISIL, is through ensuring that the group's diversified revenue streams are eliminated. Alarmingly, the terrorist group is using looted antiquities to finance its activities across the region. For example, last May, U.S. Special Forces conducted an operation in Syria against Abu Sayyaf, described as ISIL's Chief Financial Officer, which revealed some of the clearest evidence yet that ISIL is directly involved in the trafficking of artifacts and other cultural objects. Last week, the House Ways and Means Committee passed a bill which I authored entitled the "Prevent Trafficking in Cultural Property Act" which ensures that law enforcement personnel watching our borders, including ICE and CBP personnel, are properly trained and equipped to prevent looted antiquities from entering the United States.

What steps has the Department taken to ensure that its workforce is trained in recognizing stolen antiquities?

Question 3b. How often does ICE and CBP coordinate efforts to stop trafficking in cultural property?

Answer. To the Islamic State of Iraq and the Levant (ISIL) and other terrorist organizations, these objects of invaluable cultural and historical worth are one more source of revenue to exploit. The Department of Homeland Security law enforcement officers and agents have a heightened awareness of goods, especially those that may be cultural property, being imported or suspected of being imported from conflict areas.

(a) U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) law enforcement personnel have undergone training that would prepare them for any kind of encounter, including one related to cultural property. However, since 2009, ICE has partnered with the U.S. Department of State's (DOS) Cultural Heritage Center and the Smithsonian Institution to provide specialized training on the handling, investigation, and seizures of items believed to be another nation's cultural property.

Almost 400 agents, officers, and prosecutors representing 26 domestic and 67 international locations in 48 countries have been trained so far, and the demand for training both domestically and abroad is increasing. Each workshop—entitled "Preventing Illicit Trafficking/Protecting Cultural Heritage: ICE Training Program"—includes presentations and discussions on legal authorities, case histories, and resources by myriad partners including multiple offices within ICE, CBP, the Smithsonian, DOS, the National Park Service, the Department of Justice, and INTERPOL. ICE and CBP are working closely together to explore additional options for enhancing our joint cultural property training and border enforcement operations in this space.

Additionally ICE collaborates with DOS in conducting international workshops with foreign partners on the preservation of cultural heritage. Workshops were held in Canada in September 2015 and in Greece in April 2016. ICE is developing additional international workshops for fiscal year 2017.

(b) ICE routinely coordinates efforts with CBP to stop trafficking in cultural property at the field operations, targeting, and program management levels. ICE special agents work side by side with CBP Officers at ports of entry and express mail facilities to investigate suspected trafficked cultural property discovered as part of the import process. Results of these investigations are incorporated into shared law enforcement information systems where they inform targeting efforts to identify other potential cases.

ICE personnel collaborate with CBP Officers in the field and personnel at the National Targeting Center, routinely sharing information on suspected illicitly trafficked cultural property. ICE also provides results of these investigations to CBP's Fines, Penalties, and Forfeiture program in support of CBP's forfeiture of intercepted cultural property activities. Additionally, CBP assists ICE Homeland Security Investigation's (HSI) repatriation of forfeited items to their lawful owners, and CBP Officers regularly share best practices related to cultural property investigations.

ICE and CBP are members of the Cultural Antiquities Task Force (CATF), which is managed by the DOS Cultural Heritage Center. The CATF brings Federal Government agencies together in an effort to provide leadership in international cultural heritage protection.

ICE and CBP are also members of the Cultural Heritage Coordinating Committee, an interagency coordinating committee referenced in the Protect and Preserve International Cultural Property Act (Pub. L. 114–151) and first formally convened by the Department of State on November 4, 2016.