

**CBP WORKFORCE CHALLENGES: EXPLORING
SOLUTIONS TO ADDRESS RECRUITMENT AND
RETENTION**

HEARING

BEFORE THE

**SUBCOMMITTEE ON
OVERSIGHT, MANAGEMENT,
AND ACCOUNTABILITY**

OF THE

**COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES**

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CBP WORKFORCE CHALLENGES: EXPLORING SOLUTIONS TO ADDRESS RECRUITMENT AND RETENTION

Thursday, March 7, 2019

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON OVERSIGHT, MANAGEMENT,
AND ACCOUNTABILITY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m., in room 310, Cannon House Office Building, Hon. Xochitl Torres Small [Chairwoman of the subcommittee] presiding.

Present: Representatives Torres Small, Titus, Barragán, Crenshaw, Higgins, and Taylor.

Ms. TORRES SMALL. The Subcommittee on Oversight, Management, and Accountability will come to order. The subcommittee is meeting today to receive testimony on “CBP Workforce Challenges: Exploring Solutions to Address Recruitment and Retention.”

I want to thank all of our witnesses for being here today. I welcome the new Members of the subcommittee, including Ranking Member Dan Crenshaw.

It is great to see you.

I look forward to working with everyone here and everyone on the committee to conduct important oversight of the Department of Homeland Security. As a Member who represents a district on the Southern Border, I appreciate the opportunity to discuss the critical issue of recruitment, hiring, and retention at the U.S. Customs and Border Protection.

CBP employs nearly 45,000 law enforcement personnel across three operational components: The Office of Field Operations, OFO; U.S. Border Patrol; and Air and Marine Operations. These personnel have the tremendously important mission of safeguarding our Nation’s borders while facilitating lawful trade and travel.

More specifically, they are responsible for preventing terrorists and terrorist weapons from entering the United States and preventing the illegal trafficking of people, narcotics, and contraband into the United States.

At the same time, CBP personnel are charged with facilitating cross-border commerce that is the lifeblood of communities like mine and essential to our National economy, as well.

However, critical law enforcement positions at CBP are currently vacant. In recent years CBP has been unable to achieve minimum staffing levels for its Border Patrol agent positions or its staffing

goals for other law enforcement officer positions. The agency has acknowledged difficulties with its lengthy 12-step hiring process, which includes a medical exam and a polygraph. The time-to-hire is on average 300 days, and less than 3 percent of applicants successfully complete the hiring process.

Additionally, as a native of southern New Mexico, I know full well the challenges that CBP faces in attracting and retaining qualified personnel, particularly in remote areas where an employee's spouse may have trouble finding a job or children may have to travel to attend school.

Further, being a CBP officer or Border Patrol agent is a demanding job that requires an extraordinary amount of dedication. Agents and officers often work long hours in difficult conditions.

I look forward to hearing about possible solutions to workforce challenges, including nonfinancial and financial incentives. I welcome any ideas that witnesses or my colleagues have for attracting and retaining qualified applicants.

I hope we can also discuss the lessons learned from CBP's hiring contract with Accenture Federal Services, and I understand there is a partial stop work order and changes are being made to the contract to focus on advertising, marketing, and developing innovative practices. I want to learn more about the innovative ideas being considered for reducing CBP's time-to-hire and using data analytics to make recruitment more effective and efficient.

I believe the recruiting, hiring, and retention problems can be solved if we work together to address them, and I look forward to continuing that effort today.

Again, thank you to all of the witnesses for being here, and I look forward to your testimony.

[The statement of Chairwoman Torres Small follows:]

STATEMENT OF CHAIRWOMAN XOCHITL TORRES SMALL

MARCH 7, 2019

Good afternoon.

I want to thank our witnesses for being here today.

I welcome the new Members of the subcommittee, including Ranking Member Crenshaw.

I look forward to working with all of you to conduct important oversight of the Department of Homeland Security.

As a Member who represents a district on the Southern Border, I appreciate the opportunity to discuss the critical issue of recruitment, hiring, and retention at U.S. Customs and Border Protection.

CBP employs nearly 45,000 law enforcement personnel across its three operational components—the Office of Field Operations (OFO), U.S. Border Patrol (Border Patrol), and Air and Marine Operations (AMO).

These personnel have the tremendously important mission of safeguarding our Nation's borders while facilitating lawful trade and travel. More specifically, they are responsible for preventing terrorists and terrorist weapons from entering the United States and preventing the illegal trafficking of people, narcotics, and contraband into the United States. At the same time, CBP personnel are charged with facilitating cross-border commerce that is the lifeblood of communities like mine and essential to our National economy as well.

However, critical law enforcement positions at CBP are vacant. In recent years, CBP has been unable to achieve minimum staffing levels for its Border Patrol agent positions or its staffing goals for other law enforcement officer positions.

The agency has acknowledged difficulties with its lengthy 12-step hiring process, which includes a medical exam and polygraph. The time-to-hire is on average 300 days, and less than 3 percent of applicants successfully complete the hiring process.

Additionally, as a native of southern New Mexico, I know full well the challenges that CBP faces in attracting and retaining qualified personnel, particularly in remote areas where an employee's spouse may have trouble finding a job and children must travel far to attend school.

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I believe the recruiting, hiring, and retention problems can be solved if we work together to address them, and I look forward to continuing that effort today. Again, thank you to all of the witnesses for being here, and I look forward to your testimony.

Ms. TORRES SMALL. I now want to recognize the Ranking Member of the subcommittee, the gentleman from Texas, Mr. Crenshaw, for an opening statement.

Mr. CRENSHAW. Thank you, Chairwoman Torres Small. I really look forward to working with you. I think we are going to have a great time on this committee and get some things done in a very bipartisan fashion.

To my fellow Members, it is an honor to serve with you as Ranking Member on this subcommittee, and I look forward to getting to know all of you, as well.

We have a great opportunity to work together in a bipartisan manner to provide oversight, ensure quality and efficient management, and uphold accountability at the Department of Homeland Security.

As Members of this subcommittee of the Homeland Security Committee we recognize that border security is critical to the National security of the United States. We must be willing and able to welcome visitors and trade into this country, but also have the capability to turn away those who seek to enter the country illegally.

The agents and officers of the Customs and Border Protection are on the front lines, protecting our borders every day. They are the first line of defense on our border and at our ports of entry. The work they do is critical to the safety of our country.

CBP is responsible for securing approximately 7,000 miles of land border, and in partnership with the U.S. Coast Guard approximately 95,000 miles of shoreline. It is not an easy job and oftentimes it is thankless.

Agents and officers work long hours, often in very remote areas of the country, facing some of the toughest conditions. From the intense heat of the desert in the Southwest to the bone-chilling cold in the North, many of them are on the clock at all hours of the day and night.

It takes a unique group of dedicated individuals to take on these jobs, and I have the utmost respect for the men and women who do. I want to make sure they have the best possible working conditions and we are attracting and retaining the best talent. I look for-

ward to hearing from today's witnesses on the best ways to achieve that goal.

To ensure the effective operation of the border we must ensure CBP has the necessary tools and staffing. We know that providing CBP with sophisticated technological tools, such as biometric readers, sensors, radar, and drones, also allows them to operate more efficiently.

We know that border fencing is an effective tool in the CBP toolbox because it allows agents to cover more ground. Agents cannot be in all places at all times, and a barrier gives them the opportunity to target resources.

These tools are all necessary, but there is no substitute for boots on the ground. Without sufficient staffing these tools are wasted. As we continue to face larger groups of people seeking asylum and larger numbers of families attempting to enter the country, we must have enough agents and officers to effectively manage that flow.

In recent years CBP has had trouble meeting its targets for its other law enforcement entities. CBP has not met its Congressionally-mandated hiring levels since fiscal year 2014, and at the current rate it takes approximately 50 applicants to hire 1 CBP agent or officer.

In January 2017 President Trump issued an Executive Order requiring CBP to hire 5,000 more Border Patrol agents. CBP is currently short 6,927 Border Patrol agents, 1,000 CBP officers, and over 600 AMO front-line personnel. These personnel shortages create National security risks. They slow the movement of commerce, and they put additional strain on an already overworked border enforcement work force.

In 2018 hiring outpaced attrition. Unfortunately, the fact remains CBP has had a difficult time recruiting and retaining the appropriate talent.

The lengthy hiring process may be somewhat of a deterrent as it is 11 steps and includes a background investigation, medical exam, a polygraph examination. According to the GAO, the average length of time to hire an applicant was 318 days for a CBP officer and 274 for a Border Patrol agent. That is a long time to wait to start a job, and even the most dedicated individuals could be discouraged.

One of the biggest barriers to bringing on talent in recent years is the polygraph process, which has a high failure rate. In fiscal year 2017 only 26 percent of Border Patrol agent applicants and 25 percent of CBP officers passed. A pilot program has been undertaken to improve on this process, and I look toward to hearing more about that today.

I have introduced legislation that I believe will help attract even more talented individuals, such as veterans, State and local law enforcement, and other Federal law enforcement officers by allowing the polygraph to be waived for these individuals with the appropriate clearances.

Thank you all for being here.

I yield back.

[The statement of Ranking Member Crenshaw follows:]

STATEMENT OF RANKING MEMBER DAN CRENSHAW

MARCH 7, 2019

Chairwoman Torres Small, fellow Members, it is an honor to serve with you as Ranking Member on this subcommittee. I look forward to getting to know all of you and working with you to solve problems and uphold our duty to the American people. We have a great opportunity to work together in a bipartisan manner to provide oversight, ensure quality and efficient management, and uphold accountability in the Department of Homeland Security.

As Members of the Committee on Homeland Security, we recognize that border security is critical to the National security of the United States. We must be willing and able to welcome visitors and trade into this country, but also have the capability to turn away those who seek to enter the country illegally. The agents and officers of the Customs and Border Protection are on the front lines protecting our borders every day. They are the first line of defense on our border and at our ports of entry. The work they do is critical to the safety of our country.

CBP is responsible for securing approximately 7,000 miles of land border; and in partnership with the U.S. Coast Guard, approximately 95,000 miles of shoreline. It is not an easy job, and often times it is thankless. Agents and officers work long hours in often times very remote areas of the country facing some of the toughest conditions. From the intense heat of the desert in the Southwest to the bone-chilling cold in the North, many of them are on the clock at all hours of the day and night. It takes a unique group of dedicated individuals to take on these jobs and I have the utmost respect for the men and women who do. I want to make sure that they have the best possible working conditions and we are attracting and retaining the best talent. I look forward to hearing from today's witnesses on the best ways to achieve that goal.

To ensure the effective operation of the border, we must ensure CBP has the necessary tools and staffing. We know that providing CBP with sophisticated technological tools such as biometric readers, sensors, radar, and drones also allows them to operate more efficiently. We know that border fencing is an effective tool in the CBP toolbox because it allows agents to cover more ground. Agents cannot be in all places at all times, but a barrier gives them the opportunity to target resources. These tools are all necessary, but there is no substitute for boots on the ground. Without sufficient staffing, these tools are wasted. As we continue to face larger groups of people seeking asylum and larger numbers of families attempting to enter the country, we must have enough agents and officers to effectively manage the flow.

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A pilot program has been undertaken to improve on this process and I look forward to hearing more about that today.

I have introduced legislation that I believe will help to attract even more talented individuals such as veterans, State and local law enforcement, and other Federal law enforcement officers by allowing the polygraph to be waived for these individuals with the appropriate clearances.

Ms. TORRES SMALL. Thank you.

Other Members of the committee are reminded that under the committee rules, opening statements may be submitted for the record.

[The statement of Ranking Member Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

MARCH 7, 2019

Thank you, Chairwoman Torres Small and Ranking Member Crenshaw for holding today's hearing.

I am confident that under the Chairwoman's leadership, this subcommittee will do great work on behalf of the committee and the American people.

Today, the committee is examining how to address Customs and Border Protection's (CBP) hiring challenges.

More than 2 years ago, President Trump issued an Executive Order seeking to hire an additional 5,000 Border Patrol agents. In the rush to meet this hiring demand, CBP entered into a 5-year \$297 million contract with Accenture with a goal of hiring 7,500 Border Patrol agents and CBP officers.

More than a year later, CBP has spent nearly \$20 million and only hired 35 agents and officers.

While I am encouraged CBP came to its senses and issued a partial stop work order on the contract, I continue to have doubts about CBP's decision making as it tries to address its hiring struggles. I am concerned that this administration has acted in a rush to fulfill campaign promises rather than taking a thoughtful approach to hiring.

Before contracting out its hiring at a potential cost of \$300 million, CBP needed to address systemic problems at the agency leading to attrition among its existing workforce and difficulty recruiting and hiring new personnel.

As CBP assesses which aspects of the Accenture contract are and are not effective, it must refocus its hiring efforts on where its true needs lie. For example, CBP officers are a critical, yet often forgotten, resource in combatting drug trafficking. Indeed, they work on the front line at our ports of entry where most of the illegal drugs are smuggled into our country.

It is encouraging that the DHS appropriations bill for 2019 authorizes over \$58 million for 600 new CBP officers. I hope to hear from our witnesses today whether this request meets the needs at our ports of entry.

While CBP struggles to meet its long-standing staffing goals, it also must take steps to ensure that it retains its current personnel. Unfortunately, CBP faces high attrition rates across the component. This is not surprising given that the most recent Federal Employee Viewpoint Survey ranked CBP 372nd out of 415 agency sub-components.

To address these attrition and morale challenges, CBP should consider implementing workforce incentives to promote retention of its current personnel.

I look forward to hearing from the witnesses today on what actions CBP is taking to evaluate the need for new personnel and develop a clear plan to better retain them once on duty. With that, I thank the witnesses for being here today and look forward to a productive hearing.

Ms. TORRES SMALL. We are going to have two panels today, and I just want to make a brief note about that.

On this subcommittee I am very excited about working together to find solutions, and I think we have an incredible opportunity to do that. We have great people at the table today to help us do that. In the future I think the more people we can have at that table to work through those things so we can have the same questions asked to multiple people, the easier it will be.

So I was a little disappointed the Department wasn't able to make that happen this time, but I deeply appreciate having everyone here and look forward to having a productive conversation and continuing to do that in the future.

So I welcome the first panel of witnesses. Our first witness is Mr. Benjamine "Carry" Huffman, who serves as the acting assistant

commissioner of enterprise services at U.S. Customs and Border Protection within the Department of Homeland Security.

Mr. Huffman has served in many roles during his more than 30 years at CBP. In his current role as acting EAC he oversees 8 offices that touch key processes, such as hiring, procurement, training, and facilities management.

Next we have Ms. Rebecca Gambler, who is a director in the Government Accountability Office, GAO, Homeland Security and Justice Team. Ms. Gambler joined GAO in 2002 and currently leads the agency's work on border security, immigration, and election issues.

Finally, we are joined by Chief Patrol Agent Rodolfo Karisch, who was tapped to lead the U.S. Border Patrol's Rio Grande Valley sector in January 2019. Chief Karisch oversees Border Patrol's work in a sector that includes more than 34,000 square miles of southeast Texas. Chief Karisch previously served as the chief of the Tucson and Del Rio sectors.

Without objection, the witnesses' full statements will be inserted into the record. I now ask each witness to summarize his or her statements for 5 minutes, beginning with Mr. Huffman.

STATEMENT OF BENJAMINE "CARRY" HUFFMAN, ACTING EXECUTIVE ASSISTANT COMMISSIONER, ENTERPRISE SERVICES, U.S. CUSTOMS AND BORDER PROTECTION

Mr. HUFFMAN. Good afternoon and thank you for allowing me to be here.

Chairwoman Small, Ranking Member Crenshaw, and distinguished Members of the subcommittee, it is my honor to appear before you today representing the hardworking men and women of U.S. Customs and Border Protection. I am proud to serve an organization that plays such an important role for the security of our Nation.

CBP is responsible for managing risks and threats along 7,000 miles of border, 95,000 miles of shoreline, and 328 ports of entry. We are the Nation's first line of defense against international terrorists. We intercept billions of dollars' worth of dangerous narcotics, we facilitate lawful trade for roughly 1 million people every day, and that is just the tip of the iceberg. We enforce hundreds of U.S. laws and regulations on issues from immigration to trade.

This is noble and vital work, but there is one serious problem: There are not enough of us.

To accomplish the broad scope of CBP's missions we need capable, dedicated personnel. Air and Marine Operations need pilots to disrupt cocaine traffickers before they reach our shores. The Border Patrol needs agents to combat human smugglers. The Office of Field Operation needs officers to examine cargo for dangerous or illicit content.

These aren't optional tasks. They are inherent to our Nation's security and our economic prosperity. However, historically, CBP has faced a number of challenges in hiring and retaining suitable candidates. While some of these factors are unique to CBP, such as our responsibility for securing extremely remote locations, other aspects are common across law enforcement.

Our jobs are not for everyone. We demand vigilance and integrity in our public servants. As such, CBP has made it a priority to attract, hire, retain, and support a world-class resilient work force.

Over the past 3 years CBP has made several improvements to our hiring process. We have targeted potential candidates who are interested in public service, such as criminal justice majors at colleges and universities, and continue to direct our recruitment resources toward veterans and transitioning service members.

We started an applicant care program where recruiters stay in touch and help applicants throughout the hiring process. We are exploring creative ways to use pay and compensation flexibilities and provide a number of monetary and nonmonetary benefits to our CBP work force.

For example, CBP's Office of Field Operations offers incentives and encourages applicants to accept job offers in critically understaffed, hard-to-fill ports. Since July 2015, 1,300 applicants have accepted CBP's job offers with a 25 percent or 33 percent recruitment incentive each year for a 3-year service period. These incentives have resulted in both Ports of San Ysidro and Laredo closing their staffing gaps along with numerous hard-to-fill ports along the Northern Border.

These improvements and others have led to significant recruitment and hiring gains. From fiscal year 2017 to fiscal year 2018 CBP achieved a 95 percent increase in overall Border Patrol hires, a 39 percent increase in CBP officer hires, and, in fact, for the first time in 6 years CBP hired more Border Patrol agents than were lost to attrition.

However, we know there is much more work to do. We continue to look for ways to expedite the hiring process while maintaining the highest standards for our candidates. We continue to improve staffing models and build mobility programs. We continue to develop programs that support our work force and their families because we know there are sacrifices involved with public service.

I cannot speak more plainly. In law enforcement people give their lives in the line of duty. We owe those who are called to serve a measure of respect and dignity. The men and women of CBP carry out difficult, sometimes dangerous work on behalf of the American people. I am honored to be a part of their ranks and proud to speak on their behalf.

There is one more thing I would like to say before closing: CBP is hiring. If you have friends, relatives, or constituents of high moral character and are looking for a way to serve the greater good, there is no better organization in the Federal Government to do so than for U.S. Customs and Border Protection. They can visit us at CBP.gov/careers to learn more and apply. I will say that again, CBP.gov/careers. We are hiring.

[The joint prepared statement of Mr. Huffman and Mr. Karisch follows:]

PREPARED STATEMENT OF BENJAMINE "CARRY" HUFFMAN AND RODOLFO KARISCH

MARCH 7, 2019

Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee, it is my honor to testify before you today on behalf of the U.S. Customs and Border Protection (CBP) workforce.

I would like to begin with a few examples of the outstanding work the men and women of CBP do every day:

- On January 26, 2019, CBP officers at the Nogales Commercial Facility in Arizona seized nearly 650 pounds of fentanyl and methamphetamine from a traveler when he attempted to enter the United States. It was the largest seizure of fentanyl in CBP's history, and the third-largest methamphetamine seizure at an Arizona port.
- On February 14, 2019, in three separate incidents, Border Patrol agents from the Del Rio Sector's Special Operations Detachment and marine units from the Eagle Pass station rescued 17 Central American migrants from drowning in the Rio Grande River. Seven of the 17 migrants rescued were children.
- During the partial Government shutdown, working without a paycheck, aircrews from the National Air Security Operations Center in Corpus Christi, Texas, flew 271 hours on 29 missions and stopped nearly 11,000 pounds of cocaine from reaching the U.S. border.
- On February 11, 2019, Border Patrol agents at the Calexico Station in California arrested a man suspected of entering the United States illegally. When they transported him to the El Centro Station to confirm his identity, agents discovered the man was a convicted sex offender.
- In the weeks leading up to Valentine's Day, CBP agriculture specialists at Miami International Airport processed approximately 950 million cut flower imports, protecting our Nation's crops from dangerous pests and plant diseases.
- On February 4, 2019, CBP kept tuna harvested with forced labor out of the United States food supply by issuing a withhold release order against tuna and tuna products from the Tunago No. 61 Importers.

As these cases illustrate, CBP's missions are diverse, challenging, and vitally important. We are charged with keeping terrorists, criminals, narcotics, and dangerous goods out of the United States, while simultaneously facilitating lawful trade and travel. To accomplish these missions, we need capable, dedicated personnel.

Commissioner McAleenan has made it a priority to attract, hire, train, retain, and support a world-class, resilient workforce. This has resulted in several improvements to CBP's hiring process and significant recruitment and hiring gains. In fiscal year 2018, CBP hired more law enforcement personnel than we lost to attrition, with staffing levels of 23,477 CBP officers (an increase of 398) and 19,555 Border Patrol agents (an increase of 118) at the end of the fiscal year. From fiscal year 2016 to fiscal year 2018, CBP also increased Air Interdiction agent hiring by 119 percent and Marine Interdiction agent hiring by 11 percent. CBP achieved a 95 percent increase in overall Border Patrol agent hires and a 39 percent increase in CBP officer hires from fiscal year 2017 to fiscal year 2018. In fact, for the first time in 6 years, CBP hired more Border Patrol agents than were lost to attrition.

With support from Congress, we are making investments in our capability and capacity to hire across all front-line positions, focusing on attracting qualified candidates and expediting their progress through the CBP hiring process. CBP is also strengthening its ability to retain its existing workforce and improve workforce resilience.

HISTORICAL AND SYSTEMIC CHALLENGES

However, challenges remain. CBP is the Nation's largest Federal law enforcement organization, and many of our challenges are shared across other Federal, State, and local law enforcement agencies. The public scrutiny of law enforcement in general, combined with the requirement to work variable schedules, long shifts, and in remote locations are some of the reasons why individuals may be reluctant to apply for law enforcement positions. In addition, societal views and changing generational values make it more difficult to attract qualified and suitable candidates.

Other recruitment and hiring challenges are unique to CBP. Our agency is responsible for managing risks and threats along 7,000 miles of Northern and Southern Border, 95,000 miles of shoreline, and 328 ports of entry. As a result, some of our duty stations are in extremely remote areas, a significant distance from amenities and services such as medical care, child care and schools, and employment opportunities for spouses. Geographically remote locations are often accompanied by extreme environments and harsh weather conditions. Difficulty in staffing these locations may also be affected by a lack of affordable housing choices, consumer goods and services, and local infrastructure. Some hard-to-fill and geographically remote locations are sometimes associated with a higher cost of living.

One example of a hard-to-fill location is Lukeville, Arizona. Although many of our Arizona border locations are remote and hard to fill, Lukeville is particularly challenging. It is an isolated outpost along the Mexican border, in a community of fewer

than 50 people. It has one small grocery store and gas station. The closest school and medical clinic is 39 miles away in Ajo, Arizona. The nearest metropolitan area—Phoenix—is 150 miles away. The climate is especially harsh; in the summer, many of the local roads are impassible because of monsoons. Furthermore, the groundwater in Lukeville requires significant treatment to make it potable, due to traces of arsenic.

The challenges CBP faces with hard-to-fill and remote locations include the limited pool of qualified and suitable candidates interested in working and living in these locales. While CBP has the ability to offer incentives for individuals to apply for, relocate to, or remain at these locations, incentives cannot solve basic, fundamental needs of our workforce and their families, such as readily accessible medical facilities, schools, and potable water.

Working for CBP is not for everyone—we seek individuals committed to our core values of vigilance, integrity, and service to country. As such, our hiring program is intentionally rigorous. Individuals must successfully complete an entrance exam, qualifications review, interview, medical exam, drug screening, physical fitness test, polygraph examination, and a background investigation. By design, the hiring process is challenging for most applicants; as a result, a large number do not meet the agency's employment requirements.

The Anti-Border Corruption Act of 2010 requires CBP to administer polygraph examinations to all applicants for law enforcement positions. The polygraph examination ensures CBP maintains the highest standards of integrity as we select only those applicants who are most suitable for a law enforcement position. However, the number of Federally-certified polygraph examiners is limited (as there is only one Federal polygraph school and its throughput is limited), leading to competition among all Federal law enforcement agencies to fully staff polygraph programs. As a result, CBP has been unable to hire enough polygraph examiners to keep pace with its hiring pipeline, contributing to delays in processing applicants through the hiring process.

RESPONDING TO STAFFING CHALLENGES

Recruitment Initiatives

A key component of CBP's efforts is increasing the number of applicants in the pre-employment process. CBP established the National Frontline Recruiting Command (NFRC) to coordinate and strengthen recruiting efforts. This team, comprised of CBP front-line personnel and mission-focused experts, developed a National Frontline Recruitment Strategic Plan that outlines the strategic objectives, critical National- and local-level partnerships, and robust outreach strategies for front-line recruitment.

CBP directs a large portion of our recruitment resources toward veterans and transitioning service members—one of the most important communities in CBP's staffing efforts, as veterans comprise nearly 30 percent of our workforce. (In 2018, Monster.com named CBP as one of the “Best Companies for Veterans.” It was the third year in a row CBP was honored with this distinction, and is the only Federal agency named to Monster.com's list.) CBP has partnered with the U.S. Department of Defense to open permanent CBP recruitment offices on multiple military bases, including Fort Bliss, Fort Bragg, Fort Campbell, Fort Hood, Fort Drum, Camp Lejeune, and Joint Base Lewis McChord.

Under the NFRC, CBP recruiters continue to participate in thousands of recruitment events each year; since the beginning of fiscal year 2017, CBP has participated in more than 5,000 recruitment events. CBP has also increased and professionalized its recruiter workforce, establishing a cadre of nearly 1,500 recruiters Nation-wide who are professionally trained and fully versed in the principles of applicant care. This includes a 5-day National Recruiter Course that establishes a high training standard for recruiters, promoting quality service to applicants.

CBP also continues to implement a large-scale digital advertising effort incorporating data-driven marketing across multiple platforms, and planning recruitment events throughout the country. Through advanced data analytics, we identify areas with low “brand awareness” of CBP and refocus our marketing efforts to address these gaps. CBP has also developed candidate profiles, calibrating our marketing and communication efforts to these intended audiences. This way we target potential candidates who are more suited to the demands of CBP's front-line mission.

Through these enhanced recruitment capabilities, CBP continues to attract applicants to our front-line positions at a high rate, exceeding 165,000 applicants in both fiscal year 2017 and fiscal year 2018.

Hiring Initiatives

CBP continues to assess every aspect of our hiring practices, identifying and removing redundancies and ensuring that the best-qualified applicants move through the process in a timelier manner. Over the past year, CBP has increased the number of human resources staff and contractors at the CBP Hiring Center by more than 25 percent to better handle the volume of front-line applicants and pre-employment requirement reviews.

Focusing on the suitability portion of our hiring process, specifically the polygraph examination and the background investigation, in the past 2 years CBP has increased its polygraph examiner workforce, despite the limited availability of this talent; contracted with the private sector to maximize the number of available polygraph examiners; permanently implemented a shorter but equally effective polygraph format; completed an assessment of our background investigation process, which now allows some applicants to attend the academy on a provisional clearance while the full background investigation is being conducted; and completed a pre-security interview pilot designed to identify unsuitable candidates prior to administering the polygraph.

To help keep applicants engaged throughout the hiring process, we have implemented an Applicant Care Program wherein recruiters help applicants throughout the hiring process. This program is designed to increase the number of applicants with recruitment efforts and prevent applicants from dropping out of the hiring process. By working one-on-one with applicants throughout the process, our applicant quality is projected to increase while the discontinuation rate decreases. To help applicants know where they are in the application and hiring process, CBP developed a mobile application, CBPJobs, which allows applicants to track their progress throughout the hiring process.

In addition, CBP recently launched the Fast Track Hiring Process, an expedited hiring program that streamlines the hiring process for CBP officer and Border Patrol agent applicants who can commit to accelerated hiring time frames. Under the Fast Track program, applicants who agree to complete required steps in the hiring process within set time lines can move through the hiring process more quickly. The Fast Track Hiring Process is aimed at reducing the time to hire to 120 days or fewer.

Other hiring process improvements include revisions to the entrance exam, which reduced the average test time from 4 hours to less than 3 hours, and revisions to the medical exam designed to reduce the number of applicants requiring medical follow-up. In addition, in 2017, all entry-level front-line duty locations were changed to “location negotiable” in job announcements. This allows additional flexibility to both applicants and program offices, and allows applicants to select a location from a list of duty stations with the greatest staffing needs.

I want to assure the subcommittee that none of the changes we have made to our hiring process has lowered the standards that applicants must meet in order to become a CBP law enforcement officer. CBP’s hiring process remains rigorous and we continue to recruit and hire people of the highest caliber.

In 2017, our efforts to improve hiring led the U.S. Office of Personnel Management to identify the CBP Hiring Center as a “best-in-class Federal hiring program” that exemplified innovation and excellence.

Retention Initiatives

To reduce attrition and better serve our workforce, CBP is working to retain personnel.

In fiscal year 2017, CBP launched its Operational Mobility Program for Border Patrol agents, which addresses the No. 1 reason agents cite for leaving CBP: The inability to relocate. Some offices are using reassignment programs and/or “job swaps” to offer enhance mobility and developmental opportunities to those who are seeking a change in location.

CBP has implemented retention incentives for the Office of Field Operations, U.S. Border Patrol, Air and Marine Operations, and the Office of Professional Responsibility. CBP is also exploring creative ways to retain law enforcement personnel in the future.

A report by the U.S. Government Accountability Office (GAO) published in June 2018 recommended that systematically capturing and analyzing a wide range of information on all departing CBP law enforcement officers and the factors that influenced their decision to leave would better position CBP to understand and address its retention challenges. CBP concurred with GAO’s recommendation, and agrees that high-quality exit survey data is essential to support and inform retention efforts. We are beginning to implement this recommendation, to capture issues beyond those already known (e.g. “inability to relocate”).

Resilience Initiatives

CBP is also implementing multiple efforts to improve workforce resilience, to better care for the men and women who give so much in the service of our country. The reality is that our front-line personnel often work in challenging environments, and have a difficult—often dangerous—mission. This sort of work can pose significant mental and physical challenges. Regrettably, between 2007 and 2018, more than 100 CBP employees died by suicide—and a single suicide in our ranks is one too many.

In 2016, Commissioner McAleenan created the National Resiliency Task Force (NRTF) to focus on suicide prevention and awareness, and improve the overall well-being of CBP employees and their families. In October 2017, Commissioner McAleenan established a Workforce Resilience and Engagement Division within the CBP Office of Human Resources Management to further support our workforce and maximize employee wellness and engagement.

Although we cannot change the harsh realities of our jobs, we can give our front-line personnel tools to help them cope. We offer a best-in-class Employee Assistance Program to our employees and their families, and we encourage its use, making what it offers better known. We offer health and wellness programs, and child and elder care support.

We have also launched the Traumatic Incident and Events Response Team, a pilot program aimed at mitigating potential negative outcomes for employees who experience traumatic events; established unified CBP Peer Support and Chaplaincy training programs; held multiple family outreach events; and partnered with the RAND Corporation to conduct an employee survey focused on health, resilience, and wellness.

Additionally, as a consequence of our difficult and dangerous mission, 41 officers and agents have died in the line of duty since the creation of CBP in 2003. Furthermore, 206 officers, agents, and inspectors from our legacy agencies have paid the ultimate sacrifice in service to their country. To address the many challenges that follow an employee's death and that extend well beyond the immediate aftermath of the tragedy and memorial service, Commissioner McAleenan established the Survivor Advocate Program to assist surviving family members navigate through the complex benefits system, identify available resources, and enhance engagement and communication. The program's mission is to develop long-term strategies, policies, and process changes to correct issues and concerns affecting our surviving families.

CONCLUSION

Our workforce is critical to accomplishing our CBP missions. With the support of Congress to provide us with the resources, authorities, and legislative changes requested, I believe that CBP will make strides in every area of our operations. As we continue to build our workforce through recruitment, hiring, retention, and resilience initiatives, we will maintain the integrity and professionalism the American people both expect and deserve. I appreciate your time and look forward to your questions.

Ms. TORRES SMALL. Thank you. Thank you for your testimony.

I now recognize Ms. Gambler to summarize her statement for 5 minutes.

STATEMENT OF REBECCA GAMBLER, DIRECTOR, HOMELAND SECURITY AND JUSTICE TEAM, GOVERNMENT ACCOUNTABILITY OFFICE

Ms. GAMBLER. Good afternoon, Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee. Thank you for the opportunity to testify at today's hearing to discuss GAO's work on CBP's efforts to recruit, hire, and retain law enforcement personnel.

CBP employs nearly 45,000 law enforcement personnel across its three operational components, which are the Office of Field Operations, the Border Patrol, and Air and Marine Operations. In recent years CBP has not been able to meet its staffing goals for law enforcement positions and has cited high attrition rates in some lo-

cations, a protracted hiring process, and competition with other law enforcement agencies as contributing to its staffing shortfalls.

Our past work has identified areas of progress and challenges in CBP's recruitment, hiring, and retention efforts, which I will briefly summarize.

First CBP has taken steps to improve its recruitment efforts. For example, CBP established a centralized recruitment office in 2016 and increased its participation and recruitment events. CBP also increased its use of recruitment incentives, particularly for CBP officers, and CBP officials told us that those incentives have been effective in filling staffing shortages at hard-to-fill locations.

As a result of these and other efforts, CBP experienced an increase in the number of applications it received from fiscal years 2013 through 2017. As an example, the number of applications for Border Patrol agent positions increased from roughly 27,000 in fiscal year 2013 to more than 91,000 in fiscal year 2017.

Second, CBP has taken steps to enhance its hiring process, which has led to improved performance in two key hiring metrics. These two metrics include the time to hire and the overall applicant pass rate, the latter of which calculates the estimated percentage of applicants who successfully complete the hiring process and enter on duty.

CBP's time to hire for all law enforcement officer positions decreased from fiscal years 2015 through 2017. As an example, the time to hire decreased by 78 days for CBP officer positions.

Further, overall applicant pass rates more than doubled for CBP officer and Border Patrol agent positions from fiscal year 2016 to 2017.

As a result of these and other efforts, CBP experienced an increase in the number of applicants who completed the hiring process and entered on duty during the first half of fiscal year 2018 compared to the first half of fiscal year 2017.

However, despite these increases, CBP lost more officers and agents than it hired during the first half of fiscal year 2018, illustrating the continued challenges CBP faces in retaining law enforcement personnel and meeting its staffing goals.

Among other efforts it has taken toward improving the hiring process, CBP contracted with Accenture in November 2017 to help the agency recruit and hire the 5,000 Border Patrol agents called for in a January 2017 Executive Order, as well as an additional 2,000 CBP officers and 500 Air and Marine Operations personnel.

Under the contract Accenture is responsible for enhancing CBP's recruitment efforts and managing the hiring process for its recruits. At the time of our report last summer we noted that it was too early to evaluate the impact this contract might have on the recruiting and hiring processes.

Finally, with regard to retaining law enforcement personnel, CBP has strengthened its retention efforts through, for example, the use of relocation opportunities and financial incentives. CBP's annual attrition rates for CBP officers and Border Patrol agents have generally been lower than those rates at other law enforcement agencies, such as U.S. Immigration and Customs Enforcement and the Bureau of Prisons.

However, in recent years CBP has remained below its staffing goals. For example, Border Patrol finished fiscal year 2017 nearly 2,000 agents below its statutorily-established minimum level and 7,000 below the staffing target established in response to the Executive Order. We also found that CBP could do more to collect and analyze information on law enforcement officers leaving the agency.

In closing, CBP has made progress in improving its recruitment, hiring, and retention efforts. Even so, CBP faces continued challenges to its efforts, particularly in retaining law enforcement officers in hard-to-fill locations. CBP also needs to fully implement our recommendation to more systematically collect and use data on departing law enforcement officers.

Members of the subcommittee, this completes my prepared statement, and I look forward to answering any questions.

[The prepared statement of Ms. Gambler follows:]

PREPARED STATEMENT OF REBECCA GAMBLER

MARCH 7, 2019

GAO HIGHLIGHTS

Highlights of GAO-19-419T, a testimony before the Subcommittee on Oversight, Management, and Accountability, Committee on Homeland Security, House of Representatives.

Why GAO Did This Study

CBP is responsible for securing U.S. borders and employs nearly 45,000 law enforcement officers across its three operational components at and between U.S. ports of entry, in the air and maritime environment, and at certain overseas locations. In recent years, CBP has not attained target staffing levels for its law enforcement positions, citing high attrition rates in some locations, a protracted hiring process, and competition from other law enforcement agencies.

This statement addresses CBP's efforts to: (1) Recruit and more efficiently hire law enforcement applicants, and (2) retain law enforcement officers. This statement is based on a GAO report issued in June 2018 on CBP's recruiting, hiring, and retention efforts along with updates as of February 2019 on actions CBP has taken to address GAO's prior recommendation. For the previous report, GAO analyzed CBP data on recruitment efforts, hiring process steps, and retention rates; examined strategies related to these activities; and interviewed CBP officials and union groups. GAO also reviewed information on CBP actions to implement GAO's prior recommendation.

What GAO Recommends

GAO recommended in its June 2018 report that CBP systematically collect and analyze data on departing law enforcement officers and use this information to inform retention efforts. DHS concurred, and CBP has actions planned or under way to address this recommendation.

U.S. CUSTOMS AND BORDER PROTECTION.—PROGRESS AND CHALLENGES IN RECRUITING, HIRING, AND RETAINING LAW ENFORCEMENT PERSONNEL

What GAO Found

In June 2018, GAO reported that U.S. Customs and Border Protection (CBP) increased its emphasis on recruitment by establishing a central recruitment office in 2016 and increasing its participation in recruitment events, among other things. As a result, the number of applications it received for law enforcement positions across its operational components—the Office of Field Operations, U.S. Border Patrol, and Air and Marine Operations—more than tripled from fiscal years 2013 through 2017. Also, in November 2017, CBP hired a contractor to more effectively target potential applicants and better utilize data to enhance CBP's recruitment and hiring efforts. However, at the time of GAO's June 2018 report, it was too early to gauge whether the contractor would be effective in helping CBP to achieve its goal to recruit and hire more law enforcement officers.

CBP improved its hiring process as demonstrated by two key metrics—reducing its time to hire and increasing the percentage of applicants that are hired. As shown in the table, CBP’s time to hire decreased from fiscal year 2015 through 2017. CBP officials stated that these improvements, paired with increases in applications, have resulted in more hires. However, the hiring process remains lengthy. For example, in fiscal year 2017, CBP officer applications took more than 300 days, on average, to process. Certain factors contributed to the lengthy time to hire, including process steps that can be challenging and time-consuming for applicants to complete—such as the polygraph exam—as well as CBP’s reliance on applicants to promptly complete certain aspects of the process—such as submitting their background investigation form.

U.S. CUSTOMS AND BORDER PROTECTION’S (CBP) TIME-TO-HIRE FOR LAW ENFORCEMENT OFFICER POSITIONS, FISCAL YEARS (FY) 2015–2017

| Law Enforcement Officer Position | Days | | |
|--|------------------|------------------|------------------|
| | Fiscal Year 2015 | Fiscal Year 2016 | Fiscal Year 2017 |
| CBP officer | 396 | 365 | 318 |
| Border Patrol agent | 628 | 306 | 274 |
| Air and Marine Interdiction agents | 365 | 338 | 262 |

Source: GAO analysis of CBP data. GAO–19–419T

CBP enhanced its efforts to address retention challenges. However, staffing levels for law enforcement positions consistently remained below target levels. For example, CBP ended fiscal year 2017 more than 1,100 CBP officers below its target staffing level. CBP officials cited employees’ inability to relocate to more desirable locations as the primary retention challenge. CBP offered some relocation opportunities to law enforcement personnel and has pursued the use of financial incentives and other payments to supplement salaries, especially for those staffed to remote or hard-to-fill locations. However, retaining law enforcement officers in hard-to-fill locations continues to be challenging for CBP. GAO reported that CBP could be better positioned to understand its retention challenges and take appropriate action to address them by implementing a formal process for capturing information on all departing employees. In response, CBP officials reported taking steps to implement a CBP-wide exit survey and plan to analyze the results of the survey quarterly, beginning April 2019.

Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee: I am pleased to be here today to discuss our work on U.S. Customs and Border Protection’s (CBP) efforts to recruit, hire, and retain law enforcement personnel. CBP is responsible for, among other things, securing U.S. borders to prevent acts of terrorism and stopping the unlawful movement of people, illegal drugs, and other contraband across U.S. borders. To carry out these objectives, CBP employs nearly 45,000 law enforcement personnel across its three operational components—the Office of Field Operations (OFO), U.S. Border Patrol (Border Patrol), and Air and Marine Operations (AMO)—at and between U.S. ports of entry, in the U.S. air and maritime environment, and at certain overseas locations.¹ However, in recent years, CBP has not been able to attain its statutorily-established minimum staffing levels for its Border Patrol agent positions or its staffing goals for other law enforcement officer positions, citing high attrition rates in some locations, a protracted hiring process, and competition from other Federal, State, and local law enforcement agencies. Additionally, Executive Order 13767, issued in January 2017, called for CBP to hire 5,000 additional Border Patrol agents, subject to available appropriations. Consistent with this directive, Border Patrol is aiming to attain a staffing level of 26,370 Border Patrol agents (5,000 agents above the fiscal year 2016 statu-

¹ Within CBP’s three operational components—OFO, Border Patrol, and AMO—there are 5 categories of law enforcement officer positions, each with different job requirements and responsibilities. First, OFO’s CBP officers conduct immigration and customs inspections at ports of entry to prevent the illicit entry of travelers, cargo, merchandise, and other items. Second, Border Patrol agents are responsible for securing the U.S. border between ports of entry and responding to cross-border threats. Third, AMO has three categories of law enforcement officers—Air Interdiction agents, Aviation Enforcement agents, and Marine Interdiction agents—who interdict and disrupt threats to the United States in the air and maritime environments at and beyond the border.

torily established level). As of early February 2019, Border Patrol had 19,443 agents on-board, which is 6,927 agents below the target level, according to CBP.

In June 2018, we reported on the extent to which CBP has developed and implemented an approach to recruit qualified law enforcement officers, revised its hiring process and made efforts to more efficiently hire law enforcement applicants, and developed and implemented an approach to retain law enforcement officers.² This statement summarizes information from that report, as well as actions CBP has taken, as of February 2019, to address our recommendation from the report that CBP systematically collect and analyze data on departing law enforcement officers and use this information to inform retention efforts. To conduct the work for our June 2018 report, we analyzed CBP data on recruitment efforts, hiring process steps, and retention rates and retention incentives; reviewed documentation on CBP recruitment, hiring, and retention strategies; and interviewed officials from CBP and each of the three operational components. We also interviewed officials from the National Border Patrol Council union and National Treasury Employees Union—which represent CBP officers. For this statement, we also reviewed the November 2017 contract CBP awarded to Accenture Federal Services, LLC, to help meet the staffing requirements outlined in Executive Order 13767 and interviewed CBP officials responsible for managing the contract. More detailed information on our objectives, scope, and methodology is contained in our June 2018 report. We also reviewed information on CBP actions to implement our prior recommendation. The work upon which this statement is based was conducted in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

CBP HAS TAKEN STEPS TO IMPROVE ITS RECRUITING AND HIRING PROCESS, BUT THE
PROCESS REMAINS LENGTHY

CBP Has Enhanced Its Recruitment Efforts and Applications for Law Enforcement Officer Positions Have Increased

We reported in June 2018 that CBP increased its emphasis on recruitment by establishing a central recruitment office and increasing its participation in recruitment events. Specifically, CBP's recruitment budget allocated by the centralized recruiting office almost doubled, from approximately \$6.4 million in fiscal year 2015 to more than \$12.7 million in fiscal year 2017. CBP also more than tripled the total number of recruitment events it participated in, from 905 events in fiscal year 2015 to roughly 3,000 in both fiscal years 2016 and 2017. In addition, we reported that CBP had increased its use of recruitment incentives for OFO specifically from fiscal years 2015 through 2017 to help staff hard-to-fill locations. A recruitment incentive may be paid to a newly-appointed employee if an agency determines that a position is likely to be difficult to fill in the absence of such an incentive. From fiscal years 2015 through 2017, OFO increased the number of recruitment incentives it paid to CBP officers from 9 incentives in 2 locations at a total cost of about \$77,600 to 446 incentives across 18 locations at a cost of approximately \$4.3 million. AMO and Border Patrol did not use recruitment incentives from fiscal years 2015 through 2017.

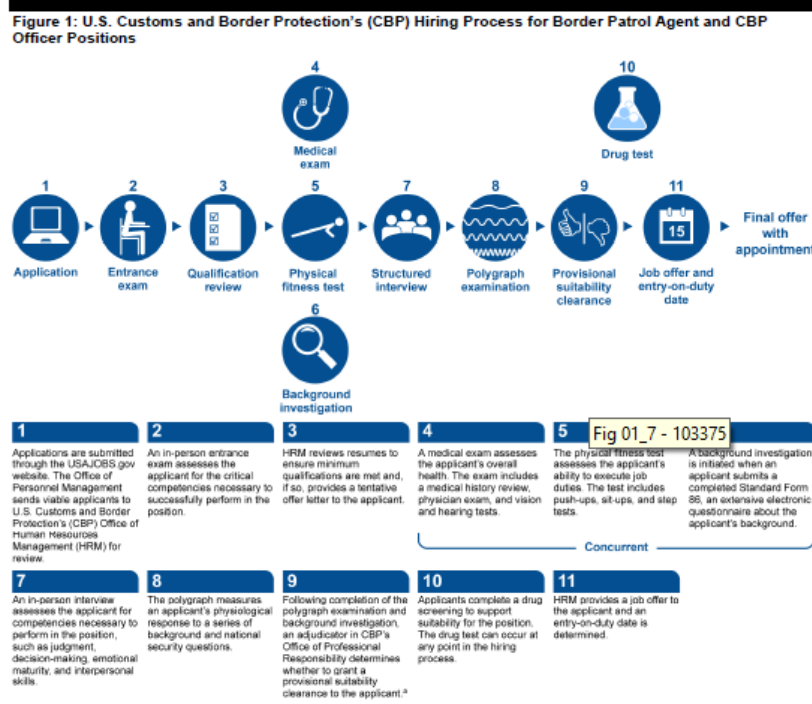
As a result of its efforts, CBP also experienced an increase in the number of applications it received for law enforcement officer positions across all 3 operational components from fiscal years 2013 through 2017. For example, with the exception of fiscal year 2014, applications for Border Patrol agent positions increased every year, from roughly 27,000 applications in fiscal year 2013 to more than 91,000 applications in fiscal year 2017. Further, during the same period, applications for CBP officer positions increased from approximately 22,500 to more than 85,000, and applications for AMO's law enforcement officer positions increased from about 2,000 to more than 5,800.

CBP's Hiring Process Has Improved, but the Process Remains Lengthy

As we reported in June 2018, CBP's law enforcement applicants undergo a lengthy and rigorous hiring process that includes nearly a dozen steps, including a background investigation, medical examination, physical fitness test, and polygraph examination. Several of these steps can be done concurrently for example, CBP can begin the background investigation while the candidate completes the physical fit-

²GAO, *U.S. Customs and Border Protection: Progress and Challenges in Recruiting, Hiring, and Retaining Law Enforcement Personnel*, GAO-18-487 (Washington, DC: June 27, 2018).

ness test and medical examination process steps. Figure 1 depicts the hiring process for Border Patrol agent and CBP officer positions.³



Note: As of November 2016, applicants for Border Patrol agent and CBP officer positions at the Law Enforcement Officer GS-9 level are no longer required to take the entrance examination. Further, in fiscal year 2017, CBP eliminated the second physical fitness test—which had been the last process step in CBP's hiring process—for Border Patrol agent and CBP officer applicants. In addition to shortening the overall process, CBP officials told us this change provided the small percentage of applicants that passed every other hiring process step with an opportunity to demonstrate they meet CBP's physical ability standards during basic training.

^aCBP must still complete a final suitability review after the granting of a provisional suitability clearance once all steps of the background investigation process are complete.

From fiscal years 2015 through 2017, CBP generally improved its performance in two key metrics to assess the efficiency and effectiveness of its hiring process for law enforcement officer positions. Specifically, CBP reduced its time-to-hire (the average number of days that elapsed between the closing date of a job announcement and an applicant's entry-on-duty date) and increased the percentage of applicants that are hired. With regard to the time-to-hire metric, as shown in table 1, CBP's time-to-hire decreased from fiscal years 2015 through 2017.

³AMO's hiring process differs from those for Border Patrol agents and CBP officers regarding exams, certifications, and credentials required.

TABLE 1.—U.S. CUSTOMS AND BORDER PROTECTION’S (CBP) TIME-TO-HIRE FOR LAW ENFORCEMENT OFFICER POSITIONS, FISCAL YEARS (FY) 2015–2017

| Law Enforcement Officer Position | Days | | |
|--|------------------|------------------|------------------|
| | Fiscal Year 2015 | Fiscal Year 2016 | Fiscal Year 2017 |
| CBP officer | 396 | 365 | 318 |
| Border Patrol agent | 628 | 306 | 274 |
| Air and Marine Interdiction agents | 365 | 338 | 262 |

Source: GAO analysis of CBP data. GAO–19–419T

With regard to the percentage of applicants that are hired, CBP’s overall applicant pass rate metric calculates the estimated percentage of applicants who successfully complete the hiring process and enter on duty. CBP data indicate that overall applicant pass rates more than doubled for CBP officer and Border Patrol agent positions from fiscal years 2016 through 2017. CBP officials told us that higher overall applicant pass rates paired with recent increases in the number of applications received by the agency are starting to result in an increase in the number of law enforcement officers hired, as applicants complete CBP’s hiring process and officially enter on duty. As we reported in June 2018, CBP data indicated that more law enforcement officers entered on duty in the first half of fiscal year 2018 than entered on duty in the first half of fiscal year 2017. Specifically, the total number of CBP officers and Border Patrol agents that entered on duty in the first half of fiscal year 2018 increased by roughly 50 percent and 83 percent, respectively, when compared to the same period of the prior fiscal year. Further, the total number of AMO law enforcement officers that entered on duty in the first half of fiscal year 2018 more than doubled from the same period of fiscal year 2017.

As we reported in June 2018, CBP has made efforts to improve its hiring process by revising certain aspects of the process, among other things. According to agency officials, these efforts to streamline and improve CBP’s overall hiring process have collectively resulted in the decreased time-to-hire and increased overall applicant pass rates discussed above. For example, in March 2017, CBP was granted the authority to waive the polygraph examination for veterans who meet certain criteria, including those who hold a current, active Top-Secret/Sensitive-Compartmented-Information clearance.⁴ Also, in April 2017, CBP received approval from the Office of Personnel Management to use direct-hire authority for law enforcement positions, which allows CBP to expedite the typical hiring process by eliminating competitive rating and ranking procedures and veterans’ preference. As of March 31, 2018, 77 CBP officers and 107 Border Patrol agents had entered on duty through this authority.

CBP has also made revisions to specific steps in its hiring process, including the application, entrance examination, and polygraph examination, among others. For example, in fiscal year 2016, CBP reordered its hiring process to place the entrance examination as the first step directly after an applicant submitted an application. Prior to this change, CBP conducted qualification reviews on applicants to ensure they met position requirements before inviting them to take the entrance exam. According to CBP officials, this updated process provided applicants with the opportunity to obtain a realistic preview of the job they were applying for earlier in the hiring process. These officials explained that this helps to ensure that only those applicants who are committed to completing the hiring process and entering on duty at CBP continue through the hiring pipeline, which may help to address high applicant discontinuation rates (e.g., roughly half of all eligible applicants in fiscal year 2015 did not take the exam). According to CBP officials, this revision also created efficiencies as the agency no longer has to spend time and resources on completing qualification reviews for applicants who either did not show up to take the exam or failed the exam itself.

⁴The National Defense Authorization Act for Fiscal Year 2017 permitted the Commissioner of CBP to waive the polygraph examination requirement for any veteran applicant deemed suitable for employment who holds a current, active Top-Secret clearance and is able to access sensitive compartmented information; has a current single-scope background investigation; and was not granted any waivers to obtain the clearance. Pub. L. No. 114–328, div. A, tit. X, subtit. E, § 1049, 130 Stat. 2000, 2396 (2016) (classified at 6 U.S.C. § 221 note).

CBP has also made several changes to its polygraph examination process step, which has consistently had the lowest pass rate of any step in its hiring process. For example, among other things, CBP has increased the number of polygraph examiners available to administer the test, according to agency officials, and was piloting a new type of polygraph exam. According to CBP officials, the new examination focuses on identifying serious crimes and is sufficiently rigorous to ensure that only qualified applicants are able to pass. Preliminary data from CBP's pilot show that this new exam has demonstrated higher pass rates when compared with CBP's traditional polygraph exam while also taking less time, on average, per test to complete. At the time of our review, it was too early to tell if these efforts will result in improvements to the polygraph examination step. Available CBP data indicate mixed results. Specifically, while the average duration to complete this step decreased for all law enforcement officer positions from fiscal years 2015 through 2017, pass rates also declined slightly over this same period. For example, for Border Patrol agents, the pass rate declined from 28 to 26 percent, while for CBP officers, it declined from 32 to 25 percent.

While CBP had reduced its time-to-hire and made efforts to improve its hiring process for law enforcement officers, CBP officials noted that the hiring process remained lengthy, which directly affected the agency's ability to recruit and hire for law enforcement positions. CBP officials also stated that their ability to further improve CBP's time-to-hire and increase law enforcement hires was affected by hiring process steps that can be challenging and time-consuming for applicants to complete, as well as CBP's reliance on applicants to promptly complete certain aspects of the process. In fiscal year 2017, it took an average of 274 days for Border Patrol agent applicants and 318 days for CBP officer applicants to complete all hiring steps and enter on duty. According to a leading practice in hiring we identified for such positions, agencies should ensure that the hiring process is not protracted or onerous for applicants. According to CBP officials, the agency's multi-step hiring process for its law enforcement officer positions was intentionally rigorous and involves extensive applicant screening to ensure that only qualified candidates meet the technical, physical, and suitability requirements for employment at CBP. Even so, CBP officials across several components told us that the agency's time-to-hire was too long and directly affected the component's ability to recruit and hire for law enforcement positions. For example, OFO officials told us that the longer the hiring process takes to complete, the more likely it was that an applicant will drop out. Further, qualified applicants may also decide to apply for employment at a competing law enforcement agency that may have a less rigorous process than CBP's, according to CBP officials.

One factor that affects CBP's ability to efficiently process and on-board law enforcement officers are specific hiring process steps that are time-consuming and challenging for candidates to complete. For example, CBP officials cited the polygraph examination as a significant bottleneck within CBP's hiring process. In addition to having the lowest pass rate of any step in CBP's process, the polygraph examination also took CBP officer and Border Patrol agent applicants, on average, the longest amount of time to complete in fiscal year 2017—74 days and 94 days, respectively. Further, CBP officials told us that these already lengthy time frames may increase further because of the growing number of applicants for CBP's law enforcement positions. In addition, on average, it took CBP law enforcement officer applicants across all 3 components 55 days or more to complete the medical examination and more than 60 days to complete the background investigation.

CBP's Accenture Contract Is Intended to Further Enhance CBP's Recruitment and Hiring Efforts

In November 2017, CBP hired a contractor—Accenture Federal Services, LLC—to help the agency recruit and hire the 5,000 Border Patrol agents called for in Executive Order 13767, as well as an additional 2,000 CBP officers and 500 AMO personnel. Specifically, at the time of our June 2018 report, the contract had a total potential period of 5 years at a not-to-exceed value of \$297 million. The contract included a base year and 4 1-year option periods, which CBP may exercise at its discretion for a total potential period of 5 years. Under this performance-based contract, Accenture is responsible for enhancing CBP's recruitment efforts and managing the hiring process for those applicants it recruits.

We reported that the Accenture contract is intended to enhance CBP's recruitment efforts by improving its marketing strategy and utilizing new ways to capture and analyze data to better inform recruitment efforts, according to CBP officials. To meet target staffing levels, CBP expected that the contractor would augment CBP's current hiring infrastructure while pursuing new and innovative hiring initiatives. Specifically, the contractor is responsible for implementing the same hiring process

steps and ensuring that all applicants recruited by Accenture meet CBP's standards. CBP officials also told us that Accenture has the flexibility to pursue novel hiring tactics and pilot initiatives that CBP may not have considered or been able to undertake. For example, Accenture plans to pilot innovative ways to reduce the time-to-hire, including by streamlining steps in the hiring process, which could help to improve CBP's overall process and generate increased hires for law enforcement positions. At the time of our June 2018 report, some key issues were still being negotiated between CBP and the contractor. For example, while CBP officials told us that the main metric used to assess Accenture's effectiveness will be the total number of hires the contractor produces, they were still working to finalize other key metrics for evaluating the contractor's effectiveness as well as an oversight plan to ensure the contractor operates according to agency requirements. As a result, we reported that it was too early to determine whether these initiatives would help increase the number and quality of applicants for CBP's law enforcement officer positions. We also reported that it was too early to evaluate whether the contractor would be able to efficiently and effectively provide the surge hiring capacity CBP needs to achieve its staffing goals.

CBP HAS ENHANCED ITS RETENTION EFFORTS, BUT DOES NOT SYSTEMATICALLY COLLECT AND ANALYZE DATA ON DEPARTING LAW ENFORCEMENT PERSONNEL

Retaining Law Enforcement Officers in Hard-to-Fill Locations Has Been Challenging for CBP

In June 2018, we reported that CBP's annual rates of attrition were relatively low, but CBP faced challenges retaining law enforcement officers in hard-to-fill locations. From fiscal years 2013 through 2017, OFO's annual attrition rates for the CBP officer position were consistent at about 3 percent, while rates for Border Patrol agent and AMO's Marine Interdiction agent positions were below 5 percent in 4 out of the 5 fiscal years we reviewed. When we compared CBP's annual attrition rates for these positions to those of other selected law enforcement agencies, we found that CBP's attrition rates were similar to U.S. Immigration and Customs Enforcement's (ICE) annual attrition rates for its law enforcement positions and generally lower than those of the Secret Service and the Federal Bureau of Prisons. Annual attrition rates for AMO's aviation positions were higher, ranging from 5.0 percent to 9.2 percent for the Air Interdiction agent position and 7.8 percent to 11.1 percent for the Aviation Enforcement agent position. Even so, fiscal years 2015 through 2017, attrition rates for these positions have generally remained lower than those of the Secret Service and the Bureau of Prisons.

In addition, from fiscal years 2013 through 2017, CBP's ability to hire more law enforcement officers than it lost varied across positions. Specifically, CBP consistently hired more CBP officers and Aviation Enforcement agents than it lost. Further, while CBP generally maintained its staffing levels for Marine Interdiction agents, the agency consistently lost more Border Patrol agents and Air Interdiction agents than it hired. Even so, on-board staffing levels for all 5 of CBP's law enforcement officer positions have consistently remained below authorized staffing levels.⁵

CBP has acknowledged that improving its retention of qualified law enforcement personnel is critical in addressing staffing shortfalls, but CBP officials identified difficulties in retaining key law enforcement staff as a result of geographically remote and hard-to-fill duty locations. CBP officials across all three operational components cited location—and specifically employees' inability to relocate to posts in more desirable locations—as a primary challenge facing the agency in retaining qualified personnel.

Border Patrol officials explained that duty stations in certain remote locations present retention challenges due to quality-of-life factors. For example, the officials told us that agents may not want to live with their families in an area without a hospital, with low-performing schools, or with relatively long commutes from their homes to their duty station. Border Patrol's difficulty in retaining law enforcement staff in such locations is exacerbated by competition with other Federal, State, and local law enforcement organizations for qualified personnel. According to Border Patrol officials, other agencies are often able to offer more desirable duty locations—such as major cities—and, in some cases, higher compensation.

⁵ OFO and AMO develop annual authorized staffing level targets for law enforcement officer positions based on operational needs and available funding. Border Patrol's authorized staffing levels through fiscal year 2016 represent statutorily established workforce floors while the fiscal year 2017 authorized staffing level for Border Patrol agents represents the office-wide goal of having 26,370 Border Patrol agents, which includes the 5,000 additional agents Executive Order 13767 directs CBP to hire and on-board.

CBP data indicate that Border Patrol agents consistently leave the component for employment with other law enforcement agencies, including OFO as well as other DHS components such as ICE. For example, while retirements accounted for more than half of annual CBP officer losses from fiscal years 2013 through 2017, they accounted for less than a quarter of annual Border Patrol agent losses, indicating that the majority of these agents are not retiring but are generally leaving to pursue other employment. Further, according to CBP data, the number of Border Patrol agents departing for employment at other Federal agencies increased steadily, from 75 agents in fiscal year 2013 to 348 agents in fiscal year 2017—or nearly 40 percent of all Border Patrol agent losses in that fiscal year. Border Patrol officials told us, for example, that working a standard day shift at ICE in a controlled indoor environment located in a major metropolitan area for similar or even lower salaries presents an attractive career alternative for Border Patrol agents who often work night shifts in extreme weather in geographically remote locations. The president of the National Border Patrol Council also cited this challenge, stating that unless Border Patrol agents have a strong incentive to remain in remote, undesirable locations—such as higher compensation when compared with other law enforcement agencies—they are likely to leave the agency for similar positions located in more desirable locations.

While OFO officials told us the component did not face an across-the-board challenge in retaining CBP officers, they have had difficulty retaining officers in certain hard-to-fill locations that may be geographically remote or unattractive for families, such as Nogales, Arizona, and San Ysidro, California. As a result, CBP officer staffing levels in these locations have consistently remained below authorized targets.

AMO has also had difficulty retaining its law enforcement personnel—and particularly its Air Interdiction agent staff—in hard-to-fill locations, such as Aguadilla, Puerto Rico, and Laredo, Texas. However, given the unique qualifications and competencies required for the Air Interdiction agent position, AMO does not compete with other law enforcement organizations. Instead, AMO officials told us they compete with the commercial airline industry for qualified pilots. Specifically, they stated that this competition is exacerbated by a Nation-wide shortage of pilots. In addition, AMO officials explained that there is a perception among applicants that commercial airlines are able to offer pilots more desirable locations and higher compensation. However, they told us that AMO generally provided pilots with higher starting salaries than many regional airlines as well as most career options available to helicopter pilots.

CBP Has Taken Steps to Address Retention Challenges

All three CBP operational components have taken steps to retain qualified law enforcement personnel by offering opportunities for employees to relocate to more desirable locations and pursuing the use of financial incentives, special salary rates, and other payments and allowances.

Relocation opportunities.—Border Patrol, OFO, and AMO have formal programs that provide law enforcement officers with opportunities to relocate. For example, in fiscal year 2017, Border Patrol implemented its Operational Mobility Program and received initial funding to relocate about 500 Border Patrol agents to new locations based on the component's staffing needs. According to Border Patrol officials, retaining current employees is a top focus for leadership at the component and this program provides Border Patrol agents with opportunities for a paid relocation to a more desirable location at a lower cost to CBP than an official permanent change of station transfer. As of April 2018, Border Patrol officials told us that 322 Border Patrol agents had accepted reassignment opportunities through the program and the component hoped to continue receiving funding to provide these opportunities.

Financial Incentives and Other Payments and Allowances.—CBP's three operational components have also taken steps to supplement employees' salaries through the use of human capital flexibilities—such as retention and relocation incentives and special salary rates—as well as other payments and allowances. CBP's goal in pursuing these human capital flexibilities is to retain current employees—especially in remote or hard-to-fill locations—who are likely to internally relocate within CBP to more desirable duty locations or depart the agency for similar positions at other law enforcement organizations or commercial airlines.

However, we found that from fiscal years 2013 through 2017, CBP's use of such financial incentives and other payments was limited, as the agency paid a total of 4 retention incentives and 13 relocation incentives, and implemented one special salary rate for all positions during this 5-year period. From fiscal years 2013 through 2017, Border Patrol did not offer retention incentives to agents and paid two relocation incentives to transfer Border Patrol agents to Artesia, New Mexico, and Washington, DC, at a cost of roughly \$78,000. However, in fiscal year 2018, Border Patrol

increased its use of relocation incentives to facilitate the transfer of agents to duty stations along the Southwest Border that are less desirable due to the remoteness of the location and lack of basic amenities and infrastructure. Specifically, as of April 2018, 67 Border Patrol agents had received such incentives to relocate to duty stations in Ajo, Arizona; Calexico, California; and Big Bend, Texas; among others.

While Border Patrol did not offer retention incentives during our review period, it submitted a formal request to CBP leadership in February 2018 for a 10 percent across-the-board retention incentive for all Border Patrol agents at the GS-13 level and below, which represents the majority of the component's front-line workforce. According to Border Patrol documentation, these incentives, if implemented, could help reduce Border Patrol's attrition rate—which has consistently outpaced its hiring rate—by helping retain agents who may have otherwise left Border Patrol for similar positions in OFO, ICE, or other law enforcement agencies. According to CBP officials, as of April 2018, CBP leadership was evaluating Border Patrol's group retention incentive request, including the costs associated with implementing this 10 percent across-the-board incentive. In addition, as the incentive would benefit Border Patrol agents in all of the component's duty locations, the extent to which this effort would be effective in targeting agent attrition in the remote locations that represent CBP's largest staffing challenges remains to be seen. Border Patrol approved the 10 percent retention incentive and is awaiting funding for implementation, according to officials.

From fiscal years 2013 through 2017, OFO paid a total of 4 retention incentives at a cost of \$149,000 to retain CBP officers in Tucson, Arizona; Detroit, Michigan; Carbury, North Dakota; and Laredo, Texas. Further, OFO paid 7 relocation incentives at a cost of approximately \$160,000 to relocate personnel to the hard-to-fill ports of Alcan and Nome, Alaska; Coburn Grove, Maine; and Detroit, Michigan. One OFO official told us OFO did not regularly use these incentives because its relatively low annual attrition rates make it difficult to propose a persuasive business case to CBP leadership that such incentives are necessary. Further, another OFO official explained that OFO's strategy is focused on using recruitment incentives to staff hard-to-fill locations with new employees.

From fiscal years 2013 through 2017, AMO did not offer retention incentives to law enforcement personnel and paid a total of 4 relocation incentives to transfer 3 Air Interdiction agents and one Marine Interdiction agent to Puerto Rico at a cost of approximately \$84,000. However, AMO has taken steps to pursue additional human capital flexibilities to address its difficulty in retaining Air Interdiction agents, including a group retention incentive and a special salary rate.

CBP Does Not Have a Systematic Process to Capture and Analyze Data on Departing Law Enforcement Officers

In June 2018, we reported that CBP does not have a systematic process for capturing and analyzing information on law enforcement officers who are leaving, such as an exit interview or survey. As a result, the agency does not have important information it could use to help inform future retention efforts. *Standards for Internal Control in the Federal Government* states that management should obtain relevant data from reliable sources and process these data into quality information to make informed decisions in achieving key objectives.⁶ Taking steps to ensure that the agency's operational components are systematically collecting and analyzing complete and accurate information on all departing law enforcement officers—including the factors that influenced their decision to separate—would better position CBP to understand its retention challenges and take appropriate action to address them. We recommended that CBP should ensure that its operational components systematically collect and analyze data on departing law enforcement officers and use this information to inform retention efforts. CBP agreed with the recommendation. CBP officials reported in February 2019 that they developed and implemented a CBP-wide exit survey in August 2018 and have taken steps to promote the survey and encourage exiting CBP employees to fill it out. The officials also noted that they plan to analyze the survey results on a quarterly basis starting in April 2019. These actions, if fully implemented, should address the intent of our recommendation.

Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee, this completes my prepared statement. I would be happy to respond to any questions you or the Members of the committee may have.

Ms. TORRES SMALL. Thank you for your testimony.

⁶GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, DC: September 2014).

I now recognize Chief Karisch to summarize his statement for 5 minutes.

**STATEMENT OF RODOLFO KARISCH, CHIEF PATROL AGENT,
RIO GRANDE VALLEY SECTOR, U.S. BORDER PATROL**

Mr. KARISCH. Thank you, ma'am.

Chairwoman Torres Small, Ranking Member Crenshaw, and distinguished Members of the subcommittee, thank you for the chance to appear before you today.

I have more than 30 years of Border Patrol experience and currently serve as chief patrol agent of the Rio Grande Valley Sector. Prior to this assignment I served as the chief patrol agent of the Tucson Sector. Over the past several years both of these sectors have remained some of the busiest in the Nation.

I want to provide some perspective on the challenges facing our men and women at the Southwest Border. Though I cannot speak for all of the components of Customs and Border Protection, I can provide a first-hand account of the complex border security environment and ask for your assistance in helping our front-line men and women.

In our line of work Border Patrol agents rarely know exactly who or what they will encounter. In a single day an agent may arrest a violent felon, encounter a large group of families and children, or rescue a drowning migrant sent in the river by smugglers. Of those we encounter we don't know what condition they are in or what their intentions may be when they get here.

Less than 2 weeks ago agents working near Roma, Texas, arrested a Salvadoran man after he entered the United States illegally. Record checks revealed him as an MS-13 gang member with extensive criminal history in the State of New York who was previously deported.

In the Rio Grande Valley sector we apprehend nearly a thousand people between the ports of entry each day. In fact, just last week our agents apprehended more than 7,000 people, roughly the same size as the so-called caravans that get much attention.

The majority of the apprehensions are family units and unaccompanied children from Central America, and many travel in large groups of 100 or more. In addition to the high volume of Central Americans, we encounter people from all over the world, many of whom don't want to be caught. In my sector alone we have encountered aliens from 40 different countries, including Bangladesh, Turkey, Romania, and China.

People are traveling thousands of miles across hemispheres to attempt to illegally enter the United States using the same pathways as Central Americans.

Contrast this incoming tide of migrants with our limited resources and infrastructure at the Southwest Border, particularly in the Rio Grande Valley and Tucson Sectors. For example, in the Tucson Sector agents encounter large groups in extremely remote locations that are 2 or 3 hours' drive from the point of apprehension to a Border Patrol facility. We don't have vehicles to transport groups of large sizes, so agents are forced to make several trips at 5 or 6 hours in that round trip.

This is further complicated by access limitations due to geography and roads. Simply put, traveling along the Southwest Border is not always a matter of point A to point B, as there is rugged terrain and lack of roads hinder our movements. More and more we spend our limited manpower on transport, processing, and hospital watch for aliens with increasing medical needs. Meanwhile, our law enforcement responsibilities and the safety of our agents suffer.

During the 35-day Government shutdown, working without pay, Border Patrol agents in the Rio Grande Valley Sector apprehended more than 17,000 illegal aliens, seized more than 15,000 pounds of marijuana and nearly 900 pounds of cocaine. They also located and took down 19 stash houses.

This clearly demonstrates the commitment of our men and women to the mission and to upholding the laws of the United States.

We ask a lot of our agents, and we must support them. They live and work in some of the most remote areas of the United States. They work in the heat of the desert and the cold of the Northern Border. They track criminal aliens and drug smugglers through harsh conditions and make multiple arrests, at times often alone with the nearest agent miles away.

Despite the great work of our dedicated men and women, without changes to existing laws and policies we will continue to see an unprecedented influx of families and children. We know that smuggling organizations take advantage of the opportunity to move drugs and other contraband while our agents are occupied with the humanitarian influx. We need to return our agents to the front line to ensure the safety and security of our border.

Thank you for the opportunity to speak to you today, and I look forward to your questions. Thank you.

Ms. TORRES SMALL. Thank you.

I thank all of the witnesses for their testimony.

I will remind each Member that he or she will have 5 minutes to question the panel. I will now recognize myself for questions.

I want to keep this focus here on retention and recruitment. I think hiring right now is—one of the challenges that I face sometimes is this is such a complex issue, and every time you dive in you see hot spots everywhere, but this is a key challenge that I think we can all gain a lot from focusing on.

So I really appreciate Ms. Gambler's discussion of the GAO report that noted that the average number of days it takes to hire CBP law enforcement positions has come down over the past 3 years. But the CBP's hiring process remains lengthy. What do you view is the biggest contributor to CBP's lengthy time-to-hire rates?

Ms. GAMBLER. I think the steps in the hiring process that take the most time include the polygraph, the medical examination, and a few other steps. So those are the ones that tend to take the longest amount of time.

Also, the hiring process does rely on applicants to complete certain steps in the process, and as we were doing our work we did hear from CBP that that could be a challenge, as well.

Mr. Huffman mentioned their applicant care pilot, which I think is designed in part to help applicants walk through the process and maybe complete some of those steps a little bit more timely. Cer-

tainly, Mr. Huffman could speak to that, as well. But there are certain steps that take longer, and there is also some reliance on applicants to complete parts of the process that they are responsible for.

Ms. TORRES SMALL. Are there any other improvements that you would suggest while still using the risk-based approach?

Ms. GAMBLER. So while we did not make specific recommendations in this regard to CBP, it is a best practice for any agency to regularly assess their hiring process. So certainly CBP could continue to study that process, as well as its recruitment and retention processes, as well, to look at whether or not there are some additional changes that they could make to the steps themselves, the ordering of the steps.

When it comes to recruitment and retention, they might also continue to look at the use of incentives which, at least for CBP officers, we were told by CBP has been fairly effective.

Ms. TORRES SMALL. Mr. Huffman, my district or the district that I serve is home to three ports of entry, Columbus, Antelope Wells, and Santa Teresa. Do these ports of entry, do you know if they have the resources and staff that they need?

Mr. HUFFMAN. Thank you for the question.

For the ports of entry in those particular areas I am not familiar with their exact staffing numbers now. I know that the Office of Field Operations in general has had a lot of successes, probably more so than the other components in CBP at getting officers to these more remote areas based on using some of the incentives that we have talked about before.

As far as the specific staffing levels at those ports of entry, I can get back to you with the information, but I don't know it off the top of my head.

Ms. TORRES SMALL. You just mentioned that there are places where OFO incentives have been perhaps deployed more effectively than other places. What do you think is the cause for that difference?

Mr. HUFFMAN. OFO kind-of took an innovative approach over the last couple years. They changed the way they were recruiting and hiring, and it had some positive effects, and I think there are some good lessons to be learned for the organization as a whole. But they started being, as we talked about, some more targeted hiring to some specific areas, and they were hiring for specific ports of entry, understanding what they were moving to.

So once they kind-of focused on those particular areas, offered incentives to those areas, and they knew what they were going to get into and what they were going to get, that was very helpful. For example, when they were targeting the Arizona area, they developed a specific brochure that explained the community well to them.

I think those things have borne out to be very successful, and I think there are lessons to learn for the agency as a whole to copy that pattern in different components, as well.

Ms. TORRES SMALL. For any of you, do you have any suggestions for ensuring that more rural areas are appropriately staffed?

Ms. GAMBLER. That has been a key challenge; that is one of the key challenges that we highlighted in our report.

The one example that we were able to see in our report was the use of some of those financial incentives, whether they were recruitment or retention bonuses or incentives.

So those were some of the examples that we saw in terms of CBP's current practices to try to either recruit for or retain law enforcement officers in those more remote locations.

Ms. TORRES SMALL. Thank you.

To set a good example, I will yield my time now. I now recognize the Ranking Member, the gentleman from Texas, Mr. Crenshaw, for questions.

Mr. CRENSHAW. Thank you, Chairwoman.

Thank you all for being here again.

I want to begin with the polygraph. Mr. Karisch, I will start with you. Actually, I will just let you run with that.

I would like to hear from all of you on the polygraph issue. Tell me about the pilot program that came about, how it has been improved upon, but what more we can do.

I did mention a bill that we are proposing soon which would make it easier to hire law enforcement, Federal law enforcement, and military with previous clearances. So can you expound upon how that would affect the process?

Mr. KARISCH. Yes, sir.

So back in 2017 I had the opportunity to serve up here in the District of Columbia as the acting assistant commissioner for the Office of Professional Responsibility, who, of course, had oversight of the polygraph program. At that point in time we looked at some different formats that we could apply.

All Federal agencies who send polygraph examiners to the National Center for Credibility Assessment, they all get their training in the same place. We were looking for something that could help us in that process. At that time CBP's past record was at about 25 percent. That is about the number of people that were passing the polygraph.

In 2017 we started approaching—in 2018, in conjunction with the NCCA, they were able to finally get that approved and piloted. That was the test for espionage, sabotage, and corruption. That increased our actual success in the polygraph exams to 37 percent.

So there was definitely an increase in efficiency with the polygraph because what it did is it removed some of the redundancies in the process, reduced some of the time of the actual test, but still captured all of the things that LEPET did, which was traditionally the test that was given to all law enforcement agencies when they are actually hiring personnel. It is a very standardized test, but TES-C has worked tremendously well for the organization.

But we are also looking for additional opportunities for hiring flexibilities, and that is why I am very supportive of the bill for the waivers, which would authorize law enforcement officers in the State and local level who have taken a polygraph in the last 10 years, Federal law enforcement agents who are wanting to transfer into the organization, and/or military members who have a Top Secret, Secret, or SCI clearance, is to come to our organization as long as they are in good standing, have not had any misconduct, criminal acts. So, I mean, definitely something that we support, sir.

Mr. CRENSHAW. Let me just, for everybody, as well, would you agree a polygraph is incapable of predicting behavior, right? Which is really the whole point of using it to screen, is to be able to predict behavior. Would you agree that is impossible for a polygraph to do?

Mr. HUFFMAN. Yes, I would agree that a polygraph does not predict behavior. That is correct.

Mr. CRENSHAW. OK. In my limited time I want to get to the issue of mobility. Mr. Huffman, I will start with you on that.

I realize that is a big issue with retention. We previously talked about what we have done already and what more can be done to ensure that our agents have the option of going to the places they want to go. I will let you take it from there.

Mr. HUFFMAN. Thank you, sir.

Yes, that is speaking specifically about Border Patrol for now, but I think it applies a little bit across the board, and I think it gets back to a little bit of the challenges with the rural area that the Chairwoman mentioned earlier.

Border Patrol did a, trying to address retention interests, they did a human capital study years ago and determined that the lack of mobility was a big challenge. The Border Patrol agents loved the job, they loved what they were doing, but living in these remote areas they needed to see an end, they needed to see someplace out, and for a long time there just wasn't one. We didn't have the ability to offer those opportunities.

So a couple years ago the Border Patrol implemented an operation mobility program that does offer that now, and it is based on a seniority-based, it is negotiated with the union, seniority-based tier that allows them the opportunity to move to areas more to their liking. So if you say you start off in Presidio, Texas, or in Ajo, Arizona, you the job, you love what you are doing, the spouse may not love the job, the spouse may not love what you are doing or the conditions you are living in, at least you have that hope, that opportunity a few years down the road to move to a more desirable location.

We think that is going to help us get after some of our retention issues, as well. We just started that last year, so it is kind-of early to tell exactly how effective it is going to be yet. But the information so far is that it has been received very positively by the work force and gives that hope, that opportunity to go somewhere else and still serve as a U.S. Border Patrol agent.

Mr. CRENSHAW. Thank you very much. I yield.

Ms. TORRES SMALL. Thank you.

The Chair will now recognize other Members for questions they may wish to ask the witnesses. In accordance with our committee rules, I will recognize Members who were present at the start of the hearing based on seniority on the committee, alternating between Majority and Minority. Those Members coming in later will be recognized in the order of their arrival.

The Chair recognizes for 5 minutes the gentlewoman from Nevada, Ms. Titus.

Ms. TITUS. Thank you very much, Madam Chairman.

I just would ask you briefly, do you have any statistics on the demographics of the work force that might reflect diversity or lack thereof?

Mr. HUFFMAN. I don't necessarily have those statistics with me at this moment, although the Customs and Border Protection strives hard to have a diverse work force. Not knowing the numbers exactly, I know the Border Patrol is probably one of the largest Federal law enforcement organizations that the majority of the employees are minority employees. I don't know if that translates across CBP as a whole, but it is a significant part of the work force. I can get those specific statistics for you, though, and get back with you on those.

Ms. TITUS. That would be great. I would be curious to know about the number of veterans, too, and what you do specifically to reach out to hire veterans, because we often hear they come back and don't have a way to use the skills that they learned on the front back at home. So this seems like it might be a place where they would be—

Mr. HUFFMAN. I am glad you asked that question, because that is an area that we are very proud of our efforts in that area.

Of the CBP work force overall, 30 percent are veterans, and we do some very specific targeted hiring from the veteran parts. Between fiscal year 2010 and fiscal year 2019, CBP hired over 1,000 veterans through the Veterans' Readjustment Act, the VRA. Similarly, we hired over 450 veterans through the Veterans Employment Opportunity Act. CBP won the Monster.com for best companies for veterans. There was a point I think last February when that was announced.

So we reach out to the veteran organizations. We work with the different military bases through their TAP system, the Transition—I forget exactly what that means—but to target veterans, and we think that is a great source for our work force. Those are the type of folks that transition to the type of work we do quite well.

So we aggressively get after veteran hires. We always can do more, I am sure, and we look for opportunities to do that. But that is a great place for us to go, and we exploit that as much as possible.

Ms. TITUS. I am glad to hear that.

I represent Las Vegas and McCarran Airport, and we are trying very hard to attract additional international flights, as I know other airports are. So we have had a problem, though, because as we get new air service, Customs and Border Protection says that they don't have enough staff available, or they can only work after 10 o'clock, which is their schedule. Or places like Reno who want to have seasonal employees to bring international travelers say during the ski season there is not enough flexibility there to set up that kind of program.

Can you talk to us about how we can make you more flexible so you could be more accommodating and you wouldn't stop the development of international tourism but rather help us to promote it?

Mr. HUFFMAN. Yes, ma'am, I appreciate your question.

I know that the Office of Field Operations has a staffing model they use to help try to establish requirements and predict future requirements in those processes.

As far as the specifics of that airport I am not as familiar as I probably should be kind-of just taking over this role, but I will be glad to look into that and get back with you on that. I know that currently the staffing at that airport is at 93 percent, so they are staffed up for what they think they need or almost there.

If that needs to be more, again, that is a discussion we can have with the Office of Field Operations leadership and see what that is and how that fits into the overall strategy and staffing plans.

Ms. TITUS. If you can help me with that I would appreciate it. It is not always more, it is how you use what you have so that you make it more accommodating to the kind of schedules, because international flights come in maybe in the middle of the night to Las Vegas. You know, we operate around the clock there, so we need that kind of flexibility.

One other thing, though, that concerns me is that some of the members from that work force have been taken away for temporary duty assignments at the border. They come back and say there is not really an emergency at the border, we could have been here helping where we belong.

Can you address that policy, how you make that decision, and why it is a good use of our manpower?

Mr. KARISCH. Well, I will take that question.

Being down on the border in places like Nogales where I was previously and even in my current assignment out in RGV, I recognized that OFO actually has a huge job to do with legal trade and travel, a lot of commercial vehicles that are coming into the country. They deal with inadmissible aliens. They deal with a lot of hard drugs. Now they are also having to deal with the asylum folks that are coming in.

So it is a draw on manpower for them because they have all of their other functions that they still have to perform, so they have to augment it with resources from other parts of the country. I know that is never popular when they have to reach into other places in the United States to bring down people, but it is a requirement based on the flow of what we are getting down there and in addition to the job that they already have to perform on the Southwest Border.

Ms. TITUS. It is unfortunate. I hope we find some other way to deal with it.

Thank you, Madam Chairwoman.

Ms. TORRES SMALL. Thank you.

The Chair recognizes for 5 minutes the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Madam Chairwoman.

Gentlemen, madam, thank you for being here today.

Mr. Huffman, congratulations. You stated earlier it is the first time in 6 years that you have managed to hire more personnel than you have lost through attrition. This is to be attributed to your focus and your devotion, sir, and that of your people, streamlined hiring process. I am particularly uplifted to hear about the mobility program. These men and women work in very remote areas. That is tough. That is a tough gig. I have known some of those men and women, and it can be difficult on a family.

Chief Karisch, today we have heard about some of the challenges facing your mission, including staffing and funding shortages. There are serious problems with the recruitment, hiring, and retention of qualified agents. We all concur. I look forward to looking into those further.

Today I would like to ask you a little bit about morale. I have talked to agents and officers in the field, and they have told me just man-to-man, heart-to-heart, cop-to-cop, it is demoralizing to them to hear politicians in the District of Columbia and elsewhere attack their mission or condemn their mission to protect and serve this country by securing our border and the sovereignty of our border and enforcing our immigration laws.

What is troubling to me are the politicians who would blame the patriots who put their lives on the line every day to serve the country and enforce the law, as opposed to addressing the laws themselves.

Wouldn't you say that elected officials should take action through the legislative process and change the laws, instead of disparaging the men and women responsible for enforcing the laws?

Mr. KARISCH. So, sir, I will start off by saying that we have a very committed work force out there. I mean, I have seen that from so many fronts in over 30 years in this organization.

But I will even point you to something specific. During the recent Government shutdown that we had, I mean, we had people that stepped up, no massive sick-outs in the Border Patrol, people who stepped up, recognized the importance of what they did to their communities, to their countries in serving. I saw over and over again where our men and women are committed.

Is it frustrating for them to hear? Absolutely. But we are also professionals, we know that we have a job to do, and we try to stay out of the political fray sometimes. But at the end of the day recognize that those men and women out there are very dedicated, they make me very proud every day in what they do out there in helping secure this country for the good of everyone in this room.

Mr. HIGGINS. They should be recognized as the professionals that they are. So thank you for your service and for that clarification.

Some of these men and women that I have talked to and wear uniforms like yours I would say represent some of the finest examples of American love and compassion and patriotism that I have ever met. So they should be recognized, and they should be acknowledged. We as elected officials should just take a deep breath.

If the laws need to be changed, Madam Chairwoman, let us change them. But in the mean time let us support the law enforcement professionals that are tasked with upholding those laws.

Chief Karisch, regarding funding, some of my colleagues supported zeroed-out funding for Border Patrol agents in the fiscal year 2019 appropriations bill, yet we are discussing staffing and funding shortages. Could you use more agents in the RGV Sector?

Mr. KARISCH. Yes, sir, I think we can use them across the entire Southwest Border.

Mr. HIGGINS. I agree. Let me ask you—I am on limited time here—how are staffing shortages affecting the agents' work-life balance? This relates back to retention. You know, when you are asked to work more and do more with less this affects the work-

life balance. Can you discuss in our remaining time how that impacts retention for your very professional agents?

Mr. KARISCH. Well, I mean, our work force is getting exhausted. As I talked about previously, 7,000 apprehensions last week. So you can imagine that I am taking 20 percent of my work force in the Rio Grande Valley Sector right now, assigning them to processing, to transportation, to hospital watch, and we haven't even gotten into the summer season. We will all be asked to do more on the humanitarian front on the rescues.

So, I mean, it depletes the work force of what we are supposed to be doing. But at the end of the day it is also exhausting for our personnel in operating at a high tempo, and that is what we are operating under right now, sir.

Mr. HIGGINS. Thank you for that clarification again.

So, Madam Chairwoman, if we have a second round of questions, I have a question for—

Ms. TORRES SMALL. I apologize. The gentleman is out of time. Thank you.

The Chair recognizes for 5 minutes the gentleman from Texas, Mr. Taylor.

Mr. TAYLOR. Thank you, Madam Chair.

Thank you for being here. I appreciate your time.

As a young marine second lieutenant my first assignment was actually as part of Joint Task Force Six, where I served along the U.S.-Mexican border side-by-side with Border Patrol members interdicting drugs, and certainly watched a lot in that assignment and that experience.

Something that I did not see in that time as a young second lieutenant but I have heard about is that Border Patrol agents are finding children who are coming across with the same adults over and over and over again. So you have adults it appears to be taking advantage of the unaccompanied minor provisions we have who are then in turn asking for sanctuary. The children are then being trafficked back into Mexico to come with another adult as an unaccompanied minor again and again and again.

This is obviously tragic. It is wrong. Can you speak to that?

Mr. KARISCH. Yes, sir. I don't have any hard statistics from that, but in talking to my people in both locations we know that that happens. We know that there are people right now that are exploiting the current process in knowing that because of the *Flores* settlement that ICE or HHS can't detain family units with children for more than 20 days.

So the fact is we have seen children come back through with different groups claiming to be their relatives. So that is a dynamic that is occurring on the border. But we would definitely like to get something back on the record for you from the agency.

Mr. TAYLOR. Are you able to document the identities of these children? Can you get fingerprints? Can you do some kind of biometric way to say, "Hey, wait a minute, you were here previously, a week ago, a month ago, a year ago, with somebody else, you were saying you were a different name, you are not"? Are you able to get biometric information so you can find these people a second time?

Mr. KARISCH. Unfortunately, we can't fingerprint children under 14. But, I mean, we work very closely with consular officials from different countries. Many times the individuals that we encounter have no documentation whatsoever, so we are having to rely on word of mouth of who they are telling us they are.

But we have seen several situations out there where people that are claiming to be relatives to children and even other families are not, in fact, those people.

So it is that deep dive, it is the interviews that we have to do, but it is very difficult because we cannot fingerprint under 14.

Mr. TAYLOR. So for those of us that are against human trafficking, that are upset by the idea of children being exploited in this way, which is just really terrible, what is preventing you from gathering the biometric information to stop this kind of horrific human trafficking?

Mr. KARISCH. I mean, we gather as much information as we can, but because of the law we cannot fingerprint children.

Mr. TAYLOR. So you are statutorily prohibited from gathering this biometric information?

Mr. KARISCH. Yes.

Mr. TAYLOR. OK. So there is a flaw in the law, which then human smugglers are exploiting for the purpose of human trafficking. Is that a fair statement?

Mr. KARISCH. I think that they know exactly what our gaps are in a lot of areas, whether it is on the enforcement or whether it is on the legal side of what they do. We are seeing the use of children to exploit our current system of law with immigrations here in the United States.

Mr. TAYLOR. So if we were to change that law you then would be able to actually gather the biometric information to then stop children being exploited by these smugglers, by these human smugglers, to then get people across the border?

Mr. KARISCH. Well, don't get me wrong, we gather information other than actually fingerprinting them, we do gather other information that will, of course, help us in the investigation of when we see that. I mean, we have a very robust data system that will allow us to try to verify information, working with different consular offices also throughout the world to make sure we have good understanding or identification of these people. But any tools that we can get that will help us are going to make our jobs a lot easier.

Mr. TAYLOR. Well, thank you for spelling this out and going on the record, because I think it is important, again, that we stand united against human trafficking, that we stop people are that trying to smuggle and exploit children. Clearly there is a loophole in our law that was probably well-intentioned at the time that it was passed into law, but clearly is being used for really despicable purposes.

With that, I yield back.

Ms. TORRES SMALL. Thank you.

Before we shift to the next panel, I thank the witnesses for their testimony. I will now call up the second panel of witnesses.

While we are doing that I just want to remind folks that the hearing today is on retention and recruitment for CBP. This is one of those issues that I think the more you start picking at different

threads, the more you see the overall challenge. But as much as we can focus on the task at hand I would really appreciate it. I think that is how often we can create the most bipartisan solutions.

Ms. TORRES SMALL. I now welcome the second panel of witnesses.

Our first witness, Mr. John Goodman, is the chief executive of Accenture Federal Services. Mr. Goodman has held a variety of leadership roles since joining Accenture in 1998. Prior to joining Accenture he served for 5 years in Federal Government as the deputy under secretary of defense, deputy assistant secretary of defense, and as a staff member of the National Economic Council.

Second, Mr. Anthony "Tony" Reardon serves as the national president of the National Treasury Employees Union. NTEU represents 150,000 Federal employees, including CBP officers who work for CBP's Office of Field Operations. In his role as national president, Mr. Reardon serves as a spokesperson for the union, representing NTEU before the media, Congress, and agency leadership.

Without objection, the witnesses' full statements will be inserted into the record. I now ask each witness to summarize his statement for 5 minutes, beginning with Mr. Goodman.

**STATEMENT OF JOHN B. GOODMAN, CHIEF EXECUTIVE,
ACCENTURE FEDERAL SERVICES**

Mr. GOODMAN. Thank you. Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee, thank you for inviting me to testify today. I am John Goodman, chief executive of Accenture Federal Services, or AFS.

I am pleased to discuss AFS' work with the U.S. Customs and Border Protection and specifically to share our insights on the innovative approaches we are taking to tackle CBP's long-standing problem of recruiting and hiring, the progress we have made, the challenges we have encountered, and the value we are providing to help CBP meet its goals.

AFS has been a valued partner to the U.S. Federal Government for more than 4 decades. As someone who served in leadership roles in the Federal Government, I am honored to lead an organization of 9,000 professionals who have the singular purpose of helping Federal agencies solve their toughest challenges.

For example, through our work at the Defense Logistics Agency we have helped them more effectively deliver goods and services needed by our servicemen and servicewomen around the world. We have helped the Transportation Security Administration recruit and hire 12,000 individuals in 2018 to make air travel safer. We have worked with the Department of Veterans Affairs to bring the most innovative technologies to advance quality medical care for our veterans.

We are focused today on CBP contracts to recruit and hire Border Patrol agents, Customs and Border Protection officers, and Air and Marine interdiction agents. Applicants, as we have heard, undergo a rigorous 12-step hiring process that includes an entrance exam, medical and physical tests, and a polygraph.

At the time of contract award CBP needed to recruit more than 130 initial applicants just to successfully hire one Border Patrol agent. The innovative contract structure incentivized AFS to build

a high-quality applicant pipeline and increase the number of hires. This contract was very favorable both to the agency and the taxpayer. Approximately 93 percent of the dollars to AFS could only be paid as new agents are hired and enter on duty.

Since contract award we have designed and implemented important innovations for CBP, including a new hiring and recruiting system, a digital marketing and advertising campaign, an applicant care or customer relationship management system, and two new U.S.-based call centers that are fully accredited to CBP security standards.

These innovations enabled AFS to develop a talent network of more than 100,000 candidates and a full recruitment and hiring capability that has processed over 4,000 applicants through various hiring steps as of December 2018.

In short, AFS helped lay a foundation for a modern state-of-the-art process that is delivering results.

Unfortunately, recent media reports and an IG report have painted an inaccurate and an incomplete picture of our contract performance. We agree with CBP that the IG's report mischaracterizes the contract and ignores our progress.

This is a performance-based, per-hire contract. We receive payment, approximately \$40,000 per hire, only when we hire CBP agents and officers. Eighty percent of that payment is made when the applicant accepts the offer, and the remaining 20 percent is paid once the applicant enters on duty.

CBP issued its first task order for approximately 600 hires in November 2017, and an additional 400 hires were tasked in September 2018. As of December 3, we had about 4,000 applicants in the process and 56 accepted job offers, for which we received about \$2 million. The only guaranteed payments to AFS were tied to startup, security, and transition costs, and to date AFS has been paid approximately \$19 million related to these requirements, including our recruiting and applicant care systems that are reusable and will permit CBP to continue to attract qualified applicants.

Although we were bringing a sufficient number of applicants into the pipeline to deliver the required hires to meet our actual task orders, our projections at the end of last summer identified some obstacles in the hiring process in the future, and as a result our forecasted hiring time lines did not show the desired acceleration in the hiring process that CBP and we both desired. We immediately engaged with CBP to address these challenges and we are continuing to work with CBP to determine how we can best support their mission.

In conclusion, I would like to leave you with three thoughts.

First, AFS delivered real value to CBP by developing and deploying leading commercial capabilities to support the recruiting process.

Second, AFS has not been paid for any services we did not provide.

Third, we are working closely with CBP, as we have done from Day 1, as it considers the best path forward. We are committed to our clients and the success of their mission. We always strive to meet their goals.

Thank you, and I welcome your questions.

[The prepared statement of Mr. Goodman follows:]

PREPARED STATEMENT OF JOHN B. GOODMAN

MARCH 7, 2019

Chairwoman Torres Small, Ranking Member Crenshaw, Members of the Subcommittee on Oversight, Management, and Accountability, thank you for inviting me to testify today. My name is John Goodman, and I am the chief executive of Accenture Federal Services, or AFS. I am pleased to be here today to testify about AFS's work with U.S. Customs and Border Protection. This is an important and multifaceted project. I appreciate the opportunity to share our insights into the innovative approaches we are taking to tackle a long-standing problem, the progress we have made, the challenges we have encountered, and the refinements we are making to help CBP meet its goals.

AFS has been a valued partner to the U.S. Federal Government for more than 4 decades. Every day, the 9,000 people of AFS work side-by-side with thousands of dedicated public servants to solve their toughest challenges at the heart of our Nation's priorities, from National defense to health care access and quality. We bring together innovation, the latest technology, and leading commercial practices so our Federal clients can make a real and positive impact on how Americans work and live. As someone who served in various leadership roles in the Federal Government, I consider it an honor to lead an organization that has the singular purpose of helping Federal departments, agencies, and offices perform their missions. For example, I'm proud to say that, through our work, the Army can better manage its finances, and the Defense Logistics Agency can more effectively deliver goods and services needed by our servicemen and -women around the world. I am also proud of the work AFS has done with the Department of Veterans Affairs to bring the most innovative technology solutions to advance and optimize quality medical care for our Nation's veterans. And we have helped the Transportation Security Administration recruit and hire 12,000 positions in 2018 to make air travel safer. Work like this is squarely within our mission at Accenture: To improve the way people live and do business, making processes more efficient and technology more effective.

The subcommittee today is focused on CBP's efforts to recruit, hire, and retain Border Patrol agents, Customs Border Protection officers, and Air and Marine Interdiction agents. These are important positions essential to protect the homeland. As one might expect, the hiring process is rigorous and lengthy. Applicants must successfully navigate 12 steps in the hiring process, where they must meet physical requirements, pass an entrance exam, undergo an interview, pass a drug test, complete a background investigation, and undergo a polygraph examination. At the time we were awarded a contract to assist CBP with recruitment and hiring, more than 130 initial applicants were needed to successfully hire 1 Border Patrol agent.

CBP engaged AFS through an innovative contract structure that incentivized AFS to use commercial best practices and new technologies to build a high-quality applicant pipeline and increase the number of hires. This contract was very favorable to both the agency and taxpayer, in that approximately 93 percent of the dollars to AFS could only be paid as new agents are hired and report for duty. Subsequent contract modifications also enabled the new technology solutions that we developed to be tailored to additional CBP needs at no additional cost to the Government.

Since the contract was awarded, AFS has delivered significant capabilities, and we are fully operational in accordance with the contract terms. The team has designed and implemented a number of important innovations for CBP, including:

- A hiring and recruitment platform that included a Talent Network of recruits for CBP front-line officer and agent positions;
- A Digital Marketing and Advertising Campaign, with new creative materials, digital advertising, and on-line interaction capabilities, that is targeting potential candidates and driving improvements in the effectiveness of AFS and CBP marketing investments;
- A Customer Relationship Management (CRM) platform that allows AFS to provide on-going regular applicant care to engage with applicants throughout a 300-plus day hiring cycle; and
- Two new call centers that are fully accredited to CBP Security Standards that support applicants processed by AFS and CBP.

As a result of these efforts, AFS has developed a Talent Network of more than 100,000 candidates, and a full recruitment and hiring capability that has processed 4,795 applicants through various hiring steps as of December 1, 2018. In short, AFS helped lay a foundation for a modern, state-of-the-art hiring process that is today delivering results for CBP. One result was a significant improvement in the hiring

ratio of applicants to job offers, which was achieved through the joint efforts of AFS and CBP.

Unfortunately, recent media reports, as well as a DHS inspector general report, have painted an inaccurate and incomplete picture of AFS's performance under the contract. We share the concerns expressed by CBP that the inspector general's report mischaracterizes the nature of the contract and the progress made on this project, while ignoring the real and lasting value we have provided to CBP.

This is a performance-based contract. It is based on a pay-per-hire model under which AFS receives payment only when it hires CBP agents and officers. As noted, 93 percent of the overall contract is not guaranteed. More specifically, AFS receives approximately \$40,000 per agent or officer hire. The payment is tied to reaching key milestones: 80 percent of the \$40,000 is paid when the applicant accepts the offer, and the remaining 20 percent is paid once the applicant reports for duty. To date, approximately \$2 million was in performance fees for attracting and processing 56 individuals who accepted job offers with CBP.

The only part of the contract that is guaranteed to AFS are payments specifically tied to start-up, security, and transition costs, and to date, AFS has been paid approximately \$19 million related to these transition and security requirements, including building an infrastructure for CBP to better market to, track, and serve applicants. This technology is reusable and will permit CBP to attract a larger number of qualified applicants who are receiving more personalized support and staying in the recruiting process longer. We understand that CBP is now using these innovations and the recruitment technology that we have introduced for all of their applicants in other hiring efforts and will continue to be able to do so in the future.

That said, by the end of last summer, our forecasted hiring time lines did not show the acceleration in the hiring process that both CBP and AFS wanted to see. We immediately engaged with CBP to address these challenges, and we are continuing to work in partnership with CBP to determine how we can best support their mission.

In conclusion, I would like to leave you with three thoughts. First, AFS delivered real value to CBP by developing and deploying leading commercial capabilities to the recruiting process, which CBP can still use even if our role in the hiring process changes. Second, we want to reiterate that AFS has not been paid for any services we did not undertake, or any accomplishments that we did not achieve. Third, we are working closely with CBP, as we have done from Day 1, as it considers the best path forward. We are committed not just to our clients but to theirs and yours—the taxpayer. We will always strive to meet their goals.

Thank you, and I am happy to answer your questions.

Ms. TORRES SMALL. Thank you for your testimony.

I now recognize Mr. Reardon to summarize his statement for 5 minutes.

**STATEMENT OF ANTHONY M. REARDON, PRESIDENT,
NATIONAL TREASURY EMPLOYEES UNION**

Mr. REARDON. Good afternoon, Chairwoman Torres Small and Ranking Member Crenshaw and committee Members. Thank you very much for the opportunity to testify on behalf of over 27,000 front-line Customs and Border Protection officers, agriculture specialists, and trade enforcement specialists at CBP.

These men and women are proud and they are extraordinarily mission-focused. They work at 328 U.S. air, sea, and land ports of entry and at preclearance operations overseas. They ensure the efficient processing of legitimate trade, travel, and asylum seekers who present themselves at the ports of entry and stop illicit trafficking of people, drugs, weapons, and money.

As I have testified in the past, the border security issues of utmost concern to CBP Office of Field Operations employees are the hiring and funding challenges that contribute to the ports of entry being chronically understaffed. CBP officers' safety and morale are negatively impacted by these staffing shortages and lead to, among

other things, excessive overtime requirements and temporary duty assignments to the Southwest Border ports.

There is no greater roadblock to border security than the lack of sufficient staff at the ports, and the current CBP officer shortage is staggering.

NTEU applauds Congress for funding, after a devastating 35-day partial Government shutdown, 600 new CBP officers in the fiscal year 2019 funding deal. But with 1,600 vacant positions and 1,900 positions not yet funded that leaves a total staffing shortage of 3,500 CBP officers.

The economic cost of this shortage is also staggering. Understaffed ports lead to long delays in travel and cargo lanes. According to CBP, for every 33 additional CBP officers hired, the United States could potentially gain over 1,000 private-sector jobs. That means if Congress fully staffed the ports it could lead to the creation of 106,000 private-sector jobs.

Understaffed ports also create a significant hardship for front-line employees. Both involuntary overtime and involuntary work assignments far from home disrupt CBP officers' family lives and destroys morale.

With CBP officer attrition hovering around 4 percent Congress must direct CBP to use all recruitment and retention tools at their disposal. However, NTEU did not support CBP's decision to award a multimillion-dollar contract to augment CBP's hiring process. NTEU, rather, believes that this money could be better spent by utilizing available pay flexibilities to incentivize new and existing CBP officers to seek vacant positions at hard-to-fill ports of entry. We are relieved to learn that CBP is negotiating an end to this costly and wasteful contract.

Even though they are severely understaffed, the results of CBP officers' drug interdiction efforts is indisputable. For example, this past January CBP officers made the biggest fentanyl seizure ever, capturing nearly 254 pounds of the deadly synthetic opioid at the Nogales port of entry.

According to the DEA, just 2 milligrams of fentanyl is considered a lethal dose. CBP estimates that its officers confiscated in this one seizure alone enough fentanyl to kill 57 million people. That is more than the combined population of the States of Illinois, New York, and Pennsylvania. The street value for the amount of fentanyl seized was over \$102 million.

It is vital that Congress continue to authorize and fund additional staffing to ensure CBP officers can continue to succeed in this important work.

But I do want to be very clear, NTEU strongly supports border security, and that is why we fought for many, many years for additional funding to increase CBP's staffing at the ports and to fix the hiring process so employees can be brought on more quickly. We have fought for better equipment, pay, and benefits for all CBP employees. All of these things contribute to a strong border.

The CBP employees I represent are frustrated that the administration does not seem to recognize that securing the ports of entry is just as vital to border security as securing the borders between the ports of entry and that the ports are an economic driver to the U.S. economy.

NTEU applauds Congress for making a downpayment to reduce the critical CBP officer staffing gap by funding 600 new hires in the fiscal year 2019 funding bill, but that is just a start. It is imperative that Congress continue to authorize and fund additional new CBP officers and that CBP use all recruitment and retention tools at their disposal.

Thank you very much, and I look forward to answering any questions.

[The prepared statement of Mr. Reardon follows:]

PREPARED STATEMENT OF ANTHONY M. REARDON

MARCH 7, 2019

Chairwoman Torres Small, Ranking Member Crenshaw, and distinguished Members of the subcommittee, thank you for the opportunity to speak today. As president of the National Treasury Employees Union (NTEU), I have the honor of leading a union that represents over 27,000 Customs and Border Protection (CBP) officers, agriculture specialists, and trade enforcement personnel stationed at 328 land, sea, and air ports of entry across the United States and 16 Preclearance stations currently in Ireland, the Caribbean, Canada, and United Arab Emirates airports. CBP's Office of Field Operations (OFO) pursues a dual mission of safeguarding American ports, by protecting the public from dangerous people and materials, while enhancing the Nation's global and economic competitiveness by enabling legitimate trade and travel. CBP OFO employees are responsible for border security, including anti-terrorism, immigration, anti-smuggling, trade compliance, and agriculture protection at U.S. ports of entry.

In addition to CBP's trade and travel security, processing and facilitation mission, CBP OFO employees at the ports of entry are the second-largest source of revenue collection for the U.S. Government. In 2018, CBP processed more than \$2.6 trillion in imports and collected approximately \$4 billion in duties, taxes, and other fees. That is why it is critically important for this subcommittee to address the issue of CBP understaffing.

For years, NTEU has been working with the administration and Congress to try and improve recruitment and retention at Federal agencies, especially those individuals with hard-to-find critical skills and areas with critical staffing needs. However, shutting down the Government and making Federal workers go without pay while implementing a pay freeze does nothing to help with this effort.

For 35 days, over 800,000 Federal employees, including 27,000 at CBP OFO missed 2 paychecks that jeopardized their families' financial stability. Those who were required to work without pay had limited to no ability to earn additional income with part-time work and were unable to get unemployment benefits. Furthermore, some who worked unpaid were required to make prompt payments on official Government purchases made on their Government-issued credit cards while the Federal Government was shut down and unable to reimburse them. This 35-day shutdown was hard on all employees, but especially so for those with the least means, who could not float Government purchases or live on savings while they went without their paychecks. This was an unconscionable way to treat the dedicated employees who serve the American people.

NTEU appreciates that Congress agreed on a funding bill that not only granted all Federal employees a pay raise, but also funded 600 new CBP officer hires that are desperately needed. Having met with thousands of CBP officers at the ports of entry, I can tell you that the No. 1 CBP workforce challenge from the CBP OFO employee perspective is the critical staffing shortage at the ports of entry, and this staffing shortage is staggering. Understaffed ports lead to long delays in travel and cargo lanes and also create significant hardship and safety issues for front-line employees. Involuntary overtime and involuntary work assignments far from home disrupts CBP officers' family life and destroys morale.

With the addition of fiscal year 2019 funding for 600 new CBP officers plus an existing 1,000 vacant funded CBP officer positions, CBP now has 1,600 vacancies. According to CBP's updated analytic workload staffing model (WSM), an additional 1,900 CBP officers and 721 agriculture specialists need to be funded and hired in order to meet current staffing needs, bringing the total CBP officer staffing shortage to 3,500 today.

The more than 27,000 CBP employees represented by NTEU are proud of their part in keeping our country free from terrorism, our neighborhoods safe from drugs,

and our economy safe from illegal trade, while ensuring that legal trade and travelers move expeditiously through our air, sea, and land ports. But front-line CBP officers and agriculture specialists at our Nation's ports of entry need relief.

The economic cost of the CBP OFO staffing shortage is also staggering. CBP employees at the ports of entry are not only the front line for illegal trade and travel enforcement, but their role of facilitating legal trade and travel is a significant economic driver for private-sector jobs and economic growth. According to CBP WSM data, for every 1,000 CBP officers hired there is an increase in the Gross Domestic Product (GDP) of \$2 billion; \$642 million in opportunity costs are saved (the quantification of time that a traveler could be using for other purposes than waiting in line, such as working or enjoying leisure activities); and 33,148 annual jobs are added. If CBP filled the 1,600 vacant positions and Congress funded the additional 1,900 needed new positions, the impact could be as high as a \$7 billion increase in GDP; a \$2.25 billion savings in opportunity costs; and the creation of 106,000 new private-sector jobs.

Also, according to the Joint Economic Committee (JEC), the volume of commerce crossing our borders has more than tripled in the past 25 years. Long wait times lead to delays and travel time uncertainty, which can increase supply chain and transportation costs. According to the Department of Commerce, border delays result in losses to output, wages, jobs, and tax revenue due to decreases in spending by companies, suppliers, and consumers. JEC research finds border delays cost the U.S. economy between \$90 million and \$5.8 billion each year.

Noting the positive impact of hiring additional CBP officers, it is troubling that the President's 2017 Border Security Executive Order and his subsequent budget requests did not ask for one additional CBP officer new hire. In 2017, CBP officers at the ports of entry recorded over 216,370 apprehensions and seized over 444,000 pounds of illegal drugs, and over \$96 million in illicit currency, while processing over 390 million travelers and \$2.2 trillion in imports through the ports. Imagine what they could do with adequate staffing and resources.

The risk of successful incursions through the ports of entry by terrorists, smugglers, and other criminals increase when ports are under constant pressure to limit wait times while working short-staffed. As port traffic increases, it will become more difficult for CBP officers and agriculture specialists to stop bad actors and bad things from coming through the ports without significantly increasing wait times, which will harm legal international trade and travel.

CBP OFFICER STAFFING CHALLENGES

NTEU continues to have significant concerns about the slow pace of hiring at CBP. CBP struggled to fill the initial 2,000 positions Congress authorized in 2014. One factor that may be hindering hiring is that CBP is not utilizing to its full extent available pay flexibilities, such as recruitment, retention, and relocation incentives (3 Rs) and special salary rates, to incentivize new and existing CBP officers to seek vacant positions at hard-to-fill, remote ports, such as Columbus, New Mexico. When using a recruitment incentive to attract employees to a certain location, CBP must be mindful that this incentive should be used in conjunction with retention incentives. Otherwise, a situation is created where a newly-hired employee is working side-by-side with a veteran employee that not only is denied the opportunity to transfer out, but may also now be paid less than a new recruit. The 3 Rs are also needed to attract transfers to the most severely short-staffed ports, such as San Ysidro and Nogales.

Another major impediment to fulfilling CBP's hiring goal is that CBP is the only Federal agency with a Congressional mandate that all front-line officer applicants receive a polygraph test. Until last year when CBP initiated a polygraph pilot, 2 out of 3 applicants failed its polygraph—about 65 percent—more than double the average rate of 8 law enforcement agencies according to data provided to the Associated Press, which had an average failure rate of 28 percent. For example, only 36 percent of applicants failed the polygraph test at the U.S. Drug Enforcement Administration in the past 2 years.

NTEU does not seek to reduce the standards used by CBP in their hiring process, but believes that there is a problem with how the polygraph is currently administered. CBP reviewed its polygraph policy to understand why CBP is failing applicants at a much higher rate than individuals applying to work at other Federal law enforcement agencies and is currently piloting a change in the CBP polygraph test, which appears to be resulting in improved passage rates. Since the pilot has shown a polygraph passage rate that is more in line with other Federal law enforcement agencies, NTEU supports ending the pilot and CBP adopting this polygraph test for all CBP applicants.

NTEU also recommends that CBP allow immediate polygraph retesting opportunities to those with a “No Opinion” or “Inconclusive” result, including those with a “No Opinion Counter Measures” finding.

NTEU commends Congress for including a provision in the fiscal year 2019 Defense authorization bill that authorized the CBP Commissioner to waive polygraph examination requirements for certain veterans applying for CBP job openings. NTEU also supports legislation that expands the authority to waive polygraph examinations for veterans and to allow exemptions for existing State and local law enforcement officers who apply for these positions at CBP.

In addition to issues with the polygraph process, NTEU has heard that CBP candidates frequently are subject to a segmented hiring process where, in some cases, they are required to travel hundreds of miles to fulfill the required tests and procedures. This can be a significant hardship for applicants that results in some of them withdrawing from consideration.

Finally, as CBP makes progress in filling new and vacant positions, they may need to expand their training classes. When experiencing a hiring surge in the past, the Federal Law Enforcement Training Center (FLETC) instituted a 6-day training program to accommodate the expanded classes. NTEU supports FLETC 6-day training, as long as the employees are paid for 6 days of training. NTEU is proud to represent FLETC employees that work and reside in various locations across the country.

ACCENTURE HIRING CONTRACT

To address some of these hiring concerns, on November 12, 2017, CBP awarded a \$297 million contract with Accenture Federal Services “to manage the full life cycle of the hiring process from job posting to processing” of 7,500 CBP Border Patrol, Air and Marine, and OFO new hires.

NTEU strongly believes that these Federal funds would be better spent actually hiring new CBP employees using CBP’s in-house human resources department rather than contracting out this work to a private-sector consultant.

After evaluating the first year of CBP’s contract with Accenture, the DHS Office of Inspector General concluded that “CBP may have paid Accenture for services and tools not provided.” And, “CBP risks wasting millions of taxpayer dollars on a hastily-approved contract that is not meeting its proposed performance expectations.” (OIG–19–13, page 6) NTEU applauds CBP for its decision to negotiate an end to this imprudent contract.

PEER-TO-PEER RECRUITMENT

Like most employers, CBP’s best recruiters should be current CBP officers. Unfortunately, morale continues to suffer because of the recent shutdown, staffing shortages, possible pay freezes, and the administration’s proposed cuts to retirement, health care, and workers’ compensation programs. In addition to being overworked due to excessive overtime requirements, temporary duty assignments are a major drag on employees, especially those with families. Based on their experiences, many officers are reluctant to encourage their family members or friends to seek employment with CBP.

NTEU strongly believes that addressing OFO hiring shortages by funding needed new CBP officer and agriculture specialist to fill the WSM staffing gap and by ending pay freezes, shutdowns, and proposals to cut employee benefits will improve morale and encourage peer-to-peer recruitment, which would be much more beneficial to CBP recruitment than spending millions on a private contractor.

CBP OFFICER OVERTIME

Due to the on-going current staffing shortage of 3,500 CBP officers, CBP officers Nation-wide are working excessive overtime to maintain basic port staffing. Currently, CBP officer overtime pay is funded 100 percent through user fees and is statutorily capped at \$45,000 per year. All CBP officers are aware that overtime assignments are an aspect of their jobs. However, long periods of overtime hours can severely disrupt an officer’s family life, morale, and ultimately their job performance protecting our Nation.

Because of the on-going staffing shortages, CBP officers can be required to regularly work overtime which results in individual officers hitting the overtime cap very early in the fiscal year. This leaves no overtime funding available for peak season travel, resulting in critical staffing shortages in the third and fourth quarter of the fiscal year that usually coincide with holiday travel at the ports.

At many ports, CBP has granted overtime exemptions to over one-half of the workforce to allow managers to assign overtime to officers that have already

reached the statutory overtime cap, but cap waivers only force CBP officers already working long daily shifts to continue working these shifts for more days. Officers are required to come in hours before their regular shifts, to stay an indeterminate number of hours after their shifts (on the same day) and are compelled to come in for more overtime hours on their regular days off as well. Both involuntary overtime—resulting in 12- to 16-hour shifts, day after day, for months on end—and involuntary work assignments far from home, significantly disrupt CBP officers' family life and erode morale. As NTEU has repeatedly stated, this is not a long-term solution for staffing shortages at the ports and has gone on for far too long.

TEMPORARY DUTY ASSIGNMENTS AT SOUTHWEST LAND PORTS OF ENTRY

Due to CBP's on-going staffing shortage, since 2015, CBP has been diverting hundreds of CBP officers from other air, sea, and land ports to severely short-staffed Southwest land ports for 90-day temporary duty assignments (TDYs). Owing to the failure to fill CBP officer positions, neither the San Ysidro nor the Nogales land ports can safely function without these TDYs. Last summer, CBP asked for volunteers for TDYs because, according to CBP, the San Diego and Tucson Field Office were experiencing critical shortages of front-line personnel, further stating that "These long-term staffing shortfalls continue to stretch the limits of operational, enforcement, and training capabilities at the ports of entry."

In November 2018, CBP began a new TDY program to support "Operation Secure Line—Mobile Field Force (MFF) Plan Implementation." This TDY again diverts CBP officers with MFF site security and crowd control training from other short-staffed ports of entry to sustain enforcement level posture at San Ysidro and Nogales to manage the influx of asylum seekers at these ports. Also, as the focus of TDYs changed from passenger processing to site security the number of inadmissible travelers CBP is operationally capable to process is reduced.

To end all these TDYs, CBP must fill existing CBP officer vacancies and fund the hiring of the additional CBP officers called for in CBP's own WSM. In the mean time, to encourage volunteers for these TDYs and avoid forced TDYs, NTEU suggests Congress ask CBP to include the following in its future TDY solicitations:

- Increase the TDY pool by including non-bargaining unit personnel such as qualified Headquarters staff, supervisors, and other employees on special teams such as the Tactical Terrorism Response Team and the Strategic Response Team, and by including all officers who have graduated from FLETC and who have received a sufficient amount of post-academy training;
- Schedule TDYs in such a way that the supplemental staffing through TDYs remains constant, so there is not a gap between the departure of one round of TDYs and the arrival of the next, and a surplus of volunteers for a TDY from one Field Office should be allowed to make up for a shortage of volunteers in another Field Office;
- Establish an advertised cash award for individuals who volunteer for a TDY and should offer available incentives such as student loan repayments, overtime cap waivers, and home leave; and
- Allow approved leave during a TDY.

AGRICULTURE SPECIALIST STAFFING

CBP employees also perform critically important agriculture inspections to prevent the entry of animal and plant pests or diseases at ports of entry. For years, NTEU has championed the CBP agriculture specialists' Agriculture Quality Inspection (AQI) mission within the agency and fought for increased staffing to fulfill that mission. The U.S. agriculture sector is a crucial component of the American economy, generating over \$1 trillion in annual economic activity. According to the U.S. Department of Agriculture, foreign pests and diseases cost the American economy tens of billions of dollars annually.

NTEU believes that staffing shortages and lack of mission priority for the critical work performed by CBP agriculture specialists, CBP agriculture detector dog teams and CBP technicians assigned to the ports is a continuing threat to the U.S. economy. At many ports, such as the port of Houston, there are not enough agriculture specialists to staff all shifts and CBP officers are backfilling for agriculture specialists.

NTEU worked with Congress to include a provision in Pub. L. 114–125, the Trade Facilitation and Trade Enforcement Act (TFTEA), which required CBP to submit, by the end of February 2017, a plan to create an agricultural specialist career track and a time line for fulfilling staffing deficits identified in the most recent agricultural resource allocation models (AgRAM). CBP's AgRAM showed a need for an additional 721 front-line CBP agriculture specialists and supervisors to address cur-

rent workloads through fiscal year 2018; however, even with the 2016 increase in AQI user fees, CBP proposed to fund only 2,418 CBP agriculture specialist positions in fiscal year 2018, not the 3,149 called for by the AgRAM.

Because of CBP's key mission to protect the Nation's agriculture from pests and disease, NTEU urges the committee to authorize the hiring of these 721 CBP agriculture specialists to address this critical staffing shortage that threatens the U.S. agriculture sector.

CBP TRADE OPERATIONS STAFFING

CBP has a dual mission of safeguarding our Nation's borders and ports and regulating and facilitating international trade. CBP employees at the ports of entry are critical in protecting our Nation's economic growth and security. For every dollar invested in CBP trade personnel, we return \$87 to the U.S. economy, either through lowering the costs of trade, ensuring a level playing field for domestic industry or by protecting innovative intellectual property. Since CBP was established in March 2003, however, there has been no increase in non-uniformed CBP trade enforcement and compliance personnel. Additionally, CBP trade operations staffing has fallen below the statutory floor set forth in the Homeland Security Act of 2002 and stipulated in the fiscal year 2017 CBP Resource Optimization Model for Trade Positions. NTEU strongly supports CBP funding 140 new hires at the CBP Office of Trade through direct appropriations to support TFTEA implementation.

CBP CANINE PROGRAM

The CBP Canine Program is also critical to CBP's mission. The primary goal of the CBP Canine Program is terrorist detection and apprehension. The working CBP canine team is one of the best tools available to detect and apprehend persons attempting entry into the country to organize, incite, and carry out acts of terrorism. The Canine Program's secondary goal is detection and seizure of controlled substances and other contraband that is often used to finance terrorist and/or criminal drug trafficking organizations. Currently, there are 1,500 authorized canine teams and, as with all CBP resources, there is a shortage of OFO canine teams Nation-wide and many canine teams at international airports have been sent to Southwest Border ports to alleviate shortages there. NTEU supports Congress fully funding and staffing the CBP canine detection program.

OPIOID INTERDICTION

CBP OFO is the foremost DHS component tasked with stemming the Nation's opioid epidemic. In a report released on May 10, 2018, by the Senate Homeland Security and Governmental Affairs Committee Minority titled "Combatting the Opioid Epidemic: Intercepting Illicit Opioids at Ports of Entry", CBP officers at the ports of entry were found to "play a key role in stopping opioids and that CBP has significant shortages of Port Officers that may be compromising efforts to seize additional opioids before they can reach U.S. communities."

The smuggling of fentanyl and other opioids has increased markedly. According to the report, "between 2013 and 2017, approximately 25,405 pounds, or 88 percent of all opioids seized by CBP, were seized at ports of entry. The amount of fentanyl seized at the ports of entry increased by 159 percent from 459 pounds in 2016 to 1,189 pounds in 2017."

The scourge of synthetic opioid addiction is felt in every State and is a threat to the Nation's economic security and well-being. The majority of fentanyl is manufactured in other countries such as China, and is smuggled primarily through the ports of entry along the Southwest Border and through international mail and express consignment carrier facilities (e.g. FedEx and UPS). As the Senate report states, CBP officers are, "in the majority of cases, the last line of defense in preventing illicit opioids from entering the United States . . . CBP's current shortage of over 4,000 Port Officers is directly influencing operations and staffing these positions could increase CBP's ability to interdict opioids." The Nation's busiest land port of entry San Ysidro, along with the Tucson area land ports, account for "57 percent of all opioids seized by ports of entry, including 75 percent of all fentanyl and 61 percent of all heroin seized." These two land ports are also the most critically understaffed.

On January 26, 2019, CBP OFO made their biggest fentanyl seizure ever, capturing nearly 254 pounds of the deadly synthetic opioid at the Nogales port of entry. According to the DEA, just 2 milligrams of fentanyl is considered a lethal dose. From the January 26 seizure alone, it is estimated that CBP officers seized enough fentanyl to kill 57 million people. That's more than the combined population of the States of Illinois, New York, and Pennsylvania. The street value for the fentanyl

was over \$102 million. CBP officers also seized an additional 2.2 pounds of fentanyl pills and a large cache of methamphetamine.

Also, over the past 5 years, CBP has seen nearly 50 percent increase in express consignment shipments. In fiscal year CBP processed more than 76 million express bills; in fiscal year 2017, that number totaled 110 million. International mail shipments have increased by more than 200 percent over the past 5 years, from approximately 150 million to more than 500 million. Yet, according to CBP, over the last 3 years, there were only 181 CBP employees assigned to the 5 Postal Service International Service Centers and 208 CBP employees assigned to the Private Express Carrier Facilities.

In the past year, the FedEx hub in Memphis processed 38 million imports and 48 million exports—equaling 86 million in total package volume. There are approximately 24 CBP officers screening all 86 million shipments, and on average, about 15 CBP officers are working the main overnight FedEx “sort” shift. Considering the volume at the FedEx hub, NTEU has been told that the port requires a minimum of 60 CBP officers to facilitate the flow of legitimate freight and ensure successful interdiction of these synthetic chemicals. NTEU urges Congress to provide CBP OFO with the critical funding it needs to support these efforts at the air, sea, and land ports of entry, as well as international postal and express consignment hubs.

NTEU worked with Congress on the passage of Pub. L. 115–271, the Synthetics Trafficking and Overdose Prevention Act, or STOP Act. The new law requires CBP to provide additional CBP officers to express consignment and international mail facilities and requires CBP to report to Congress on an annual basis on the individuals and companies that violate the electronic advance data requirements of the Trade Act of 2002. Requiring CBP to annually report this useful information on violators and violator penalty assessments will enhance CBP’s interdiction of prohibited items from entering the United States through express consignment operators.

CBP FUNDING SOURCES

CBP collects Customs User Fees (CUFs), including those under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), to recover certain costs incurred for processing air and sea passengers and various private and commercial land, sea, air, and rail carriers and shipments. The source of these user fees are commercial vessels, commercial vehicles, rail cars, private aircraft, private vessels, air passengers, sea passengers, cruise vessel passengers, dutiable mail, customs brokers, and barge/bulk carriers.

COBRA fees are deposited into the Customs User Fee Account and are designated by statute to pay for services provided to the user, such as 100 percent of inspectional overtime for passenger and commercial vehicle inspection during overtime shift hours. Of the 24,576 CBP officers currently funded, Customs User Fees (CUFs) fund 3,825 full-time equivalent (FTEs) CBP officers. Further, Immigration Inspection User Fees (IUF) fund 4,179 CBPO FTEs. CUF and IUF user fees fund 8,004 CBPO FTEs or one-third of the entire CBP workforce at the ports of entry.

NTEU strongly opposes the diversion of CUFs. Any increases to the CUF Account should be properly used for much-needed CBP staffing and not diverted to unrelated projects. Unfortunately, while section 52202 of the FAST ACT indexed CUFs to inflation, it diverted this funding from CBP to pay for unrelated infrastructure projects. Indexing COBRA CUFs to inflation would have raised \$1.4 billion over 10 years—a potential \$140 million per year funding stream to help pay for the hiring of additional CBP officers to perform CBP’s border security, law enforcement, and trade and travel facilitation missions. Diverting these funds has cost CBP funding to hire over 900 new CBP officers per year since the FAST Act went into effect. These new hires would have significantly alleviated the current CBP officer staffing shortage.

In order to find alternative sources of funding to address serious staffing shortages, CBP received authorization for and has entered into Reimbursable Service Agreements (RSAs) with the private sector, as well as with State and local governmental entities. These stakeholders, who are already paying CUFs and IUFs for CBP OFO employee positions and overtime, reimburse CBP for additional inspection services, including overtime pay and the hiring of new CBP officer and agriculture specialist personnel that in the past have been paid for entirely by user fees or appropriated funding. According to CBP, since the program began in 2013, CBP has entered into agreements with over 149 stakeholders covering 111 U.S. ports of entry, providing more than 467,000 additional processing hours for incoming commercial and cargo traffic.

NTEU believes that the RSA program is a Band-Aid approach and cannot replace the need for Congress to either appropriate new funding or authorize an increase

in customs and immigration user fees to adequately address CBP staffing needs at the ports.

RSAs simply cannot replace the need for an increase in CBP appropriated or user fee funding—and make CBP a “pay-to-play” agency. NTEU also remains concerned with CBP’s new Preclearance expansion program that also relies heavily on “pay-to-play.” Further, NTEU believes that the use of RSAs to fund CBP staffing shortages raises significant equity issues between larger and/or wealthier ports and smaller ports.

RATIO OF SUPERVISORS TO FRONT-LINE PERSONNEL

Another concern is that CBP continues to be a top-heavy management organization. Since its creation, the number of new managers has increased at a much higher rate than the number of new front-line CBP hires. CBP’s own fiscal year 2015 end-of-year workforce profile (dated 10/3/15), showed that the supervisor to front-line employee ratio was 1 to 5.6 for the total CBP workforce, 1 to 5.7 for CBP officers and 1 to 6.6 for agriculture specialists. Prior to 2003, the supervisor to front-line ratio was closer to 1 supervisor to 12. It is also NTEU’s understanding that nearly 1,000 CBP officers are serving either at CBP headquarters or non-Office of Field Operations locations. This means that nearly 4,000 CBP officers are serving in supervisory positions.

The tremendous increase in CBP managers and supervisors has come at the expense of National security preparedness and front-line positions. Also, these highly-paid management positions are straining the CBP budget. CBP’s top-heavy management structure contributes to the lack of adequate staffing at the ports, excessive overtime schedules, and flagging morale among the rank and file.

NTEU RECOMMENDATIONS

To address CBP’s workforce challenges, it is clearly in the Nation’s economic and security interest for Congress to authorize and fund an increase in the number of CBP officers, CBP agriculture specialists, and other CBP employees.

In order to achieve the long-term goal of securing the proper staffing at CBP, NTEU recommends that Congress take the following actions:

- Fill the 1,600 CBP officer-funded positions that are currently vacant;
- Fund an additional 1,900 new CBP officers;
- Address the polygraph process to mitigate excessive (60 percent) applicant polygraph failures;
- Fund 721 new CBP agriculture specialists hires;
- Fully fund and utilize recruitment and retention awards, and other incentives; and
- Restore cuts in mission support personnel that will free CBP officers from performing administrative duties such as payroll processing, data entry, and human resources to increase the numbers available for trade and travel security and facilitation.

Congress should also redirect the increase in customs user fees in the FAST Act from offsetting transportation spending to its original purpose of providing funding for CBP officer staffing and overtime, and oppose any legislation to divert additional fees collected to other uses or projects.

Shutdowns, pay freezes, and proposed cuts to benefits, rights, and protections do nothing to help with recruitment and retention of CBP officers. The employees I represent are frustrated and their morale is indeed low. These employees work hard and care deeply about their jobs and their country. These men and women are deserving of more staffing and resources to perform their jobs better and more efficiently.

Thank you for the opportunity to speak today on their behalf. I am happy to answer any questions you may have.

Ms. TORRES SMALL. Thank you, Mr. Reardon.

I thank all the witnesses for their testimony, and I will now recognize myself for 5 minutes of questioning.

The first question goes to both of you. I would like to start with Mr. Reardon. What do you view as the biggest contributors to CBP’s lengthy time-to-hire rates, especially in rural ports of entry like Columbus or Antelope Wells in the district I serve?

Mr. REARDON. Well, I think that there are several things. I mean, we certainly talked about the actual hiring process, but I

know you want to focus on some other things, so I will leave that to the side.

I think that when you think about a potential candidate coming for a job, if they are going into a rural area and there aren't jobs, potential jobs for their spouses, I think that creates a difficult situation. A lack of housing. Lack of schools for their children. Areas for them to go grocery shopping and do other kinds of shopping. I think all of those contribute and make it difficult to find an interesting opportunity for people where they are willing to actually go and take those jobs.

Ms. TORRES SMALL. Mr. Goodman, did you see any specific challenges in recruiting people in hard-to-fill areas and rural areas?

Mr. GOODMAN. Our approach in recruiting was to cast a wider net than CBP had originally to be able to reach potential candidates who we thought both had an affinity to working in the kind of remote locations and who also were most likely to be successful in the process.

So we targeted first veterans, outdoor enthusiasts, but we approached job boards at universities, colleges, criminal justice programs in a range of more rural locations across the Southwest and the Midwest. To broaden diversity in the hiring pool we also included, for example, graduates of HBCUs.

Ms. TORRES SMALL. Thank you.

Mr. Reardon, could you speak more specifically to some of the actions you started to mention in your testimony about the ways we can better retain CBP officers and get them to these hard-to-fill duty stations?

Mr. REARDON. Certainly I could.

I think that it is important to make sure that recruitment, retention, and relocation incentives are used. But I do also want to make certain that if we are in a situation where a recruitment incentive is being used for somebody to come in as a new hire, what you don't want to do, I don't believe, is have that situation then a long-time employee earning less money.

So if you are going to use recruitment incentives, I think it is also important to use in concert with that retention incentives. So those are important things.

One other thing that I would add is I have got to believe that there are other organizations out there, perhaps the United States military would be a good model, where you have folks who are going to be in remote locations or in rural locations, and they have got to have ways to provide opportunities for families so that people feel like they are a part of something.

I would also offer one last thing about that. You know, if we are going to suggest that it is important to protect the security of our country, and I think everyone in this room and across this country would agree, then we have got to make certain that we are providing the employees, the number of employees that we need to actually do that, not just give lip service to it.

I have been testifying now for a couple of years, several years, on this very same issue, and it seems as though the number continues to remain at about 3,500. We have got to get these people in.

Because what we are doing is we are putting—because the work is out there, and it has got to happen—and so what we are doing is we are putting folks in situations, our employees, CBP officers, in situations where they are having to work 16-hour days, days on end. It is a problem for the family, it is a problem for morale, it is a problem for their health, both physical and emotional, and we have got to do—and it doesn't help in terms of protecting our country.

Ms. TORRES SMALL. Thank you, Mr. Reardon.

Just in the last 43 seconds, Mr. Goodman, could you speak to what you think CBP and Accenture could have done to best improve the processes based on the lessons learned?

Mr. GOODMAN. Well, first, I think we made a number of changes that are improving the process that are helpful. I think the introduction of a digital recruiting platform that enables us to better target, connect, build a group of applicants is a significant advantage and allows us to do analytics on that recruiting pool to be able to help us figure out—

Ms. TORRES SMALL. What were your biggest mistakes?

Mr. GOODMAN. I think the most significant challenge we face in this process was in, as Congressman Crenshaw discussed in his opening statement, was in the area of polygraphy. That is the biggest obstacle in the process, and it is one that we are still working with CBP to figure out how best to navigate.

Ms. TORRES SMALL. Thank you, Mr. Goodman.

Now I recognize the gentleman from Texas, Mr. Crenshaw.

Mr. CRENSHAW. Thank you, Chairwoman.

Let's expand on that. Let's expand on the polygraph, since you just mentioned it. Do you have anything to add as far as lessons learned or ways to improve that process in particular? I just want to continue that line of questioning.

Mr. GOODMAN. Sure. I think the particular challenge that we face was in bringing on polygraphers who could be approved to do work at CBP, because in addition to requiring NCCA certification and having Federal experience, there are a range of training, monitoring, testing requirements that CBP uses that makes it significantly harder to bring on new polygraphers.

That is the major chokepoint in the hiring process in terms of determining the throughput you can get from the number of applicants. I think those are the set of issues that I think CBP is wrestling with now for the broader applicant pool, apart from the veterans and folks who already have TS/SCI clearances, as you all discussed.

Mr. CRENSHAW. Right, because you can have a TS/SCI clearance and a perfect record, it is no guarantee that you will pass a polygraph.

On the \$13.6 million that was spent on the Accenture contract, can you detail the work that was done by Accenture up to this point that is included in these start-up costs? I am asking you to go into a little more detail of what you have just previously described on the advertising campaign, the recruiting campaign that you all created. What exists right now, and how is it better than what we had before?

Mr. GOODMAN. So the first thing that exists is a hiring and recruiting system that we have developed and that is now reusable for CBP to continue to use. It is that system that we have used to develop the talent network of 100,000 applicants with whom we can share information about CBP, what the day in the life of Air and Marine interdiction officers are, Border Patrol agents, et cetera.

That is also the capability that we can then use to target the specific content that we developed in our digital marketing and advertising campaigns. So we develop new creative content to help attract different and new pools of candidates to the process. That material is also available.

By the way, through the process, over the course of our contract, we have seen that the amount of marketing and advertising spent to deliver one applicant has decreased significantly. Now, I can't attribute all of that benefit to us, but I think what we did significantly helped.

The third thing we did was to build an applicant care system so that, first, our call center and CBP can maintain contact with applicants throughout this long 300-day process and keep them warm, if you will, because that is a long time to wait to get a job. We built it for our use. CBP is deciding to use it now for its purpose with its recruiters starting next month.

Then we also developed two separate call centers to be able to answer questions in the application process so that people can fill out their applications more rapidly and then answer questions and, again, help keep people warm along the way. That is the major area spent.

Mr. CRENSHAW. Thank you.

Mr. Reardon, I will move to you. You were talking about morale, and you mentioned the military. In the military we have an MWR program. Is there anything similar to that for Border Patrol in some of these more remote locations?

Mr. REARDON. Well, I don't represent employees on the Border Patrol, rather in the Office of Field Operations. But I am not aware of any programs like that, and that is why I am suggesting that it would probably be useful to look at something like that so that folks, they feel good about where they are working and what they are doing and that they feel confident about bringing their families into that environment. I think right now there is a major problem with that.

Mr. CRENSHAW. OK. Real quick, are there any details you would like to expound upon as far as incentivizing folks to go to some of these more remote locations and what these incentives would look like? Do you have any ideas that you would like to expound upon?

Mr. REARDON. Well, I mean, I think certainly financial incentives, I mean, that is pretty clear, both to not only recruit them, but also in order to retain them. I think there are special pay opportunities that exist that could be looked into. You know, some of those places are very difficult to keep people, to get people to want to go there and to remain there. So special pay could be looked at, as well.

Mr. CRENSHAW. I think you would agree you also need to hire people who are willing to go to those places. It does take a certain type of person who wants to live in these areas.

Would you be comfortable, given who you represent, would you be comfortable with the bill that we are talking about, which would waive polygraphs for law enforcement, military personnel with those previous clearances for the hiring process?

Mr. REARDON. Absolutely. In fact, we have been supportive of that sort of legislation in the past. I mean, clearly, I would want to see the details, but in theory, based on what you are saying, we would be supportive of that, absolutely.

Mr. CRENSHAW. Thank you. Thank you both. I yield.

Ms. TITUS [presiding]. Thank you. I will now yield myself 5 minutes to ask questions. Thank you.

We were admonished a little while ago by one of my colleagues to give more love and respect to our brave men and women of the CBP, and I don't know anybody who doesn't have respect for them. But I would ask you, Mr. Reardon, wouldn't a better way to respect them been not to have shut down Government in a fit of pique just to deliver a campaign promise so that 27,000 of them would not have to go 2 pay periods without receiving a check?

Mr. REARDON. Well, I will tell you, and I think you will see in the gallery I have a number of my members here, and they personally went through the 35-day Government shutdown. What I will tell you is that, in terms of treating our Federal employees—and here specifically we are talking about CBP—with dignity and respect, it would have been a whole lot more positive if they would not have been shut down.

But this extends into also things like them having to face pay freezes, or pay increases that are below market, or attacks on their health insurance, or attacks on their retirement benefits. All those kinds of things play a very significant role here in whether or not people are going to be interested in working for the Federal Government, and also here specifically talking about CBP.

We must make it an attractive place to work. The best recruiting mechanism that could exist is current CBP officers, current CBP employees, if they were treated with dignity and respect, if they were working in a place that they felt valued all the time, they would be your best recruiters, and we have got to get back to that. Because let me tell you, these folks are proud of the work that they do, and they are proud to work for this country.

Ms. TITUS. We are proud of them, and they are on the front lines every day protecting this country, and you are exactly right.

I would just now ask about the contract that you all have. There is a big theme now about privatizing things in Government, run Government like a business, business can do it better than Government. Apparently that was kind-of the thinking when you got the \$297 million contract last November. But you just mentioned in your testimony it was very favorable to taxpayers, and I would like to go back and look at that.

You have challenged the IG report, but it seems to me that it wasn't all that favorable to taxpayers. I think how much money you have gotten is \$20 million, and I know you said some of that was calculated for things that can be carried over, like a talent net-

work and an applicant care system. But you have got 35 people, if I am right, who now have entered on duty. So you take 35, and you divide it into \$20 million, now check my math, but I believe that is about a half a million dollars per hire.

Now, do we really think that that is a good investment of taxpayer dollars? Is there really enough left over of what you created that makes a difference? I wonder if Mr. Reardon thinks that is going to help recruit more folks. What is it that you are left to do, since I don't think now you are really even part of the recruiting process?

Maybe both of you could address that.

Mr. GOODMAN. Sure. Congresswoman, I think you are conflating—your question conflates two separate parts of the contract.

The first part of the contract was around application processing. For that part we were only paid when we hire. For that part, you are right, we have 36 who have entered on duty, 56 have accepted job offers, and there are 4,000, approximately, who are in various stages of the process. More than 3,000 have already passed their medical and fitness exams, and more than—

Ms. TITUS. But listen, I realize there are two parts of the contract, and some of this you told me that was a bunch of bureaucratic jargon about creative content and care system and networks and stuff. I get that. But the fact is you have received about \$20 million, and you have hired 35 people. How do you justify that?

Mr. GOODMAN. The \$19 million that we received was to build systems and capability that is able to be used by CBP on an on-going process.

Ms. TITUS. Right. Well, what could you have possibly built for \$19 million that is working so well that we still haven't been able to hire anybody?

Mr. GOODMAN. We have built a recruiting system, a customer care system, two call centers, and lots of content.

Ms. TITUS. It costs \$19 million?

Mr. GOODMAN. Yes, ma'am. But that capability is what will enable CBP—it is the same capability that leading companies are using across America to improve their recruiting process.

Ms. TITUS. All right. Well, I am going to ask you to come back in 6 months and tell me how well that is working for \$19 million. Thank you.

I guess my time is up, so we will now recognize Mr. Higgins from Louisiana.

Mr. HIGGINS. Thank you, Madam Chairwoman.

Mr. Goodman, you are in a bit of a hot seat today, aren't you?

Mr. GOODMAN. Happy to be here, Congressman.

Mr. HIGGINS. Doing well. Your company properly competed for the bid that you received, the contract that you received, sir?

Mr. GOODMAN. Yes.

Mr. HIGGINS. Could you clarify some of these numbers? You stated, I believe, a fee of \$40,000 per hire earlier. Did I record that right?

Mr. GOODMAN. Right. That is an average number. It varies slightly across the three categories of hires from Air Interdiction officers—

Mr. HIGGINS. I would like just to clarify for the American people that may tune into this hearing and for our own purposes, what is the ratio of applicants to hire? How many do you have to process in order to hire one agent?

Mr. GOODMAN. When we began the process it was over 130 to 1.

Mr. HIGGINS. What is it now?

Mr. GOODMAN. My understanding is it is approximately half that. In other words, we have been able to reduce—when I say “we,” I mean CBP and we together have been able to reduce that number by approximately 50 percent.

Mr. HIGGINS. OK. So 60 to 70 or somewhere in that range.

The 130 to 1 was quite a challenge, an endeavor to face when you took this contract?

Mr. GOODMAN. Yes. We bear all the costs for all the people who don’t make it as part of our—

Mr. HIGGINS. That was my next question. Who absorbs the expense of the application process for the non-hires?

Mr. GOODMAN. That would be AFS. That is why this was a favorable structured contract for the Government.

Mr. HIGGINS. I gave you the opportunity to answer these questions, sir, because as a Constitutional incentive and a rather loud protector of the people’s treasury I don’t necessarily agree with the bureaucracies and the way things move forward, but you have answered these questions I think honestly.

I would like to ask Mr. Reardon, as a former police officer and a veteran myself, do you believe that the field commanders and supervisors could hire effectively if the hiring process was streamlined and they had the authority to hire and fill the slots that were under their command?

Mr. REARDON. You know, I have not given much consideration to managers doing that sort of hiring.

Mr. HIGGINS. You said managers, but we are talking about law enforcement professionals, correct?

Mr. REARDON. Pardon me?

Mr. HIGGINS. You used the term “managers.”

Mr. REARDON. I am referring to the management structure within CBP.

Mr. HIGGINS. The admin.

Mr. REARDON. Pardon me?

Mr. HIGGINS. The administration.

Mr. REARDON. The administration, right, management within CBP. You know, that is something that I would obviously have to look into to see whether or not that would work.

Mr. HIGGINS. Generally speaking, in law enforcement from sea to shining sea across the 50 sovereign States, generally speaking, sheriffs and their senior staff, their command staff, chiefs of police, their command staff, they make their hiring decisions, and they manage to keep their slots filled quite effectively.

So I realize this is a large Federal agency and dealing with the bureaucracy that is manifested over a generation here, it is much more complex. You are dealing with moving men and women and their families to very remote areas. But I am trying to connect some dots here.

Does your company in your contract, do you communicate with the commanders in the field at the command and control sectors and the supervisors on the ground? Is there a communication process between the law enforcement professionals and your firm's process of hiring to fill the slots that the law enforcement professionals need filled?

Mr. GOODMAN. Is the question directed to me, Congressman?

Mr. HIGGINS. Yes, sir.

Mr. GOODMAN. So most of our engagement has been with the key components of CBP that are themselves focused on hiring and that needed to adjudicate key steps along the way, whether it was adjudicate the medical exam or the results of a poly, et cetera, not actively engaged in the field. We did engage—

Mr. HIGGINS. I am asking if you are in the process. Congratulations on streamlining the hiring process. We completely support that. We have to fill these slots. I am asking, are there communications between your hiring process, the people that handle that, and the commanders and supervisors in the field? I have 10 seconds remaining. Please answer.

Mr. GOODMAN. Let me check with my team and get back to you, Congressman.

Mr. HIGGINS. Madam Chairwoman, I yield.

Ms. TORRES SMALL [presiding]. Thank you.

The Chair now recognizes for 5 minutes the gentleman from Texas, Mr. Taylor.

Mr. TAYLOR. Thank you, Madam Chair.

So a question for you, Mr. Goodman. There is a process, the EyeDetect system. What is that?

Mr. GOODMAN. EyeDetect is a relatively new technology that uses eye movement to detect veracity. It is being piloted in a number of agencies, including in the intelligence community, as a precursor, if you will, for a poly to be able to determine whether a— to be able to prioritize candidates and make a better determination at a much lower cost.

Mr. TAYLOR. Has this been used in the private sector?

Mr. GOODMAN. I believe it is—it is really currently in pilot stage. It is a new and innovative technology.

Mr. TAYLOR. So it is a very cutting-edge technology, not terribly proven. OK. Were you required to do that or did you—was this your idea or was this CBP's idea?

Mr. GOODMAN. So as part of our contract we were asked to bring forward innovative ideas that could potentially improve the process, and we piloted it at one job fair that we held in Texas really to understand how the system would work. It never became—we never brought it into production and used it to make determinations on candidates.

Mr. TAYLOR. OK. So you didn't use it as part of your 12-step process that I am looking at here?

Mr. GOODMAN. No, we simply ran a pilot.

Mr. TAYLOR. OK. So it didn't work? Is that a fair—I don't want to—

Mr. GOODMAN. I wouldn't draw that conclusion. We ran one—

Mr. TAYLOR. You didn't implement it?

Mr. GOODMAN. We did not yet implement it, but we ran a pilot.

Mr. TAYLOR. OK. So just one thing I wanted to understand, the beginning of this process, which you say is a 300-day process, can people begin that in their final year of college at the beginning so that when they graduate from college they get a job or do they have to begin after they get their degree? What is the timing? Does the person need to be completely qualified before they begin the process or do they begin the process ahead of time?

Mr. GOODMAN. Congressman, I am going to need to check and get back with you on the specifics, but my understanding is that on filling out the entrance exam they need to be able to meet the requirements at the time where the entrance—the entrance application, that they need to fill out the application—they need to be qualified at the time they are filling out the application.

Mr. TAYLOR. I am surprised you don't know that. That seems to be a pretty basic question.

So one thing that companies do, and I have a defense contractor in my district, L3, and they are beginning to begin SCI exams at the beginning of the senior year in college so that by the time the person graduates they have got a job, which obviously is a lot easier to retain the person.

I know that was my experience in the Marine Corps, right, so I went to the platoon leaders class in the summers and then I took commission when I graduated. So it just made it—you know, rather than beginning after I graduate.

So that seems like a very straightforward step that we could do to make this a faster process and get more people.

So one thing, I have to admit I am staggered at the numbers. So you are saying out of 100,000 people applying you are getting 34 people to take the job?

Mr. GOODMAN. No, sir. What I noted is that as of December we had 36 who had entered on duty and 56 who had accepted.

What I would note is, as we started the process, this was a 300-day process, we began in March 2018. So we wouldn't have assumed that by December when the 56—the 36 or 56 number is in place, we would have had a large number through the process to begin with. What we saw was that we projected there would be a future problem because of the chokepoint created by polygraphs.

Mr. TAYLOR. Let me ask this question. The \$297 million contract, and I noticed it is a 1-year contract with 4 options, is the 297 for the first year and then each year thereafter or is that ultimately what could be a 5-year contract at 297?

Mr. GOODMAN. That was the total contract value. That was the ceiling for the total contract over a 5-year—

Mr. TAYLOR. The ceiling, assuming 4 extensions.

Mr. GOODMAN. Four extensions and the decisions by CBP to contract for enough hires that would use the entire—

Mr. TAYLOR. Final question for you. Did you have to—were you in competition to get this contract? Were there other people competing? Or was this a no-bid contract?

Mr. GOODMAN. No, this was a competitive award.

Mr. TAYLOR. This was a competitive award. Who were your competitors? Who also bid for this?

Mr. GOODMAN. I don't know the answer to that, Congressman.

Mr. TAYLOR. OK. Thank you.

Madam Chair, I yield back.

Ms. TORRES SMALL. Thank you.

At this point I think we are ready to conclude. So I thank the witnesses for their valuable testimony and the Members for their questions.

The Members of the subcommittee may have additional questions for witnesses, and we ask that you respond expeditiously in writing to those questions.

Without objection, the committee record shall be kept open for 10 days.

Hearing no further business, the committee stands adjourned.

[Whereupon, at 3:32 p.m., the subcommittee was adjourned.]

APPENDIX

QUESTIONS FROM CHAIRWOMAN XOCHITL TORRES SMALL FOR BENJAMINE “CARRY” HUFFMAN

Question 1a. Ms. Gambler and Mr. Huffman, during our conversations I was glad to hear you speak on CBP’s two hiring metrics—the time to hire and the overall applicant pass rate.

What is the time to hire and overall applicant pass rate in the El Paso Sector during fiscal year 2017 and fiscal year 2018? Please provide the levels at each station in the sector.

Answer. Response was not received at the time of publication.

Question 1b. How do these numbers compare to the time to hire and overall applicant pass rate in the Rio Grande Valley Sector, Laredo Sector, San Diego Sector, Tucson Sector, and Yuma Sector?

Answer. Response was not received at the time of publication.

Question 2a. The Congressional district I serve is home to three ports of entry: Columbus, Antelope Wells, and Santa Teresa.

Do these ports of entry have the resources and staff they need?

Answer. Response was not received at the time of publication.

Question 2b. Please provide current and target staffing levels for CBP officers at all 328 ports of entry. Which ports of entry are experiencing the greatest staffing shortfalls and highest attrition rates?

Answer. Response was not received at the time of publication.

Question 3a. Congress appropriated \$58.7 million in fiscal year 2019 to hire 600 new CBPOs at ports of entry.

How does CBP plan to recruit and hire the 600 newly-funded CBPOs?

Answer. Response was not received at the time of publication.

Question 3b. Where will the CBPOs be deployed, and what process is CBP using to make this determination?

Answer. Response was not received at the time of publication.

Question 4a. GAO reported in GAO–18–487 that just 1 to 3 percent of law enforcement applicants complete CBP’s 12-step hiring process and enter on duty.

What is being done to better target qualified applicants who are likely to move successfully through the hiring process and accept a job offer if one is made?

Answer. Response was not received at the time of publication.

Question 4b. How is CBP using data analytics to evaluate its recruiting and marketing efforts? What has CBP found to be most effective?

Answer. Response was not received at the time of publication.

Question 5a. According to GAO, CBP does not have a systematic process for capturing and analyzing information on why law enforcement officers leave the agency.

What steps has CBP taken to develop such a process?

Answer. Response was not received at the time of publication.

Question 5b. How does CBP plan to use this information to inform its future retention efforts?

Answer. Response was not received at the time of publication.

Question 6. GAO found that Border Patrol has consistently lost more agents through attrition than it has been able to gain through hiring. Fiscal year 2018 was the first year in at least 5 fiscal years that Border Patrol had a slight net staffing gain. However, Border Patrol is nearly 2,000 agents short of its target staffing goal and nearly 7,000 agents short when accounting for the 5,000 additional agents mandated by Executive Order 13767.

Please provide a detailed breakdown of current staffing levels, target staffing levels, and attrition rates at all Border Patrol stations. Which stations are experiencing the greatest staffing shortfalls and highest attrition rates?

Answer. Response was not received at the time of publication.

Question 7a. CBP has the authority to use a variety of financial incentives, including recruitment, retention, and relocation bonuses, to make hard-to-fill positions more attractive to CBPOs and BPAs. But, according to GAO, the agency has rarely exercised this authority.

Why is CBP not making better use of recruitment, retention, and relocation bonuses to draw officers and agents to remote areas of the border?

Answer. Response was not received at the time of publication.

Question 7b. Please describe the process by which CBP proposes and approves financial incentives for existing employees and new hires.

Answer. Response was not received at the time of publication.

Question 7c. Please provide any guidance or policies that set forth the circumstances under which a financial incentive might be offered.

Answer. Response was not received at the time of publication.

Question 8a. In April 2017, OPM granted CBP direct-hire authority for law enforcement positions, allowing the agency to expedite its typical hiring process by eliminating competitive rating and ranking procedures and veterans' preference. This authority is set to expire in April 2019.

How many CBPOs and BPAs have been hired through this authority since it was granted?

Answer. Response was not received at the time of publication.

Question 8b. Has CBP sought and/or received permission from OPM to extend direct-hiring authority past April 2019. Why or why not?

Answer. Response was not received at the time of publication.

Question 9. According to the Department of Homeland Security Office of Inspector General (DHS OIG), Border Patrol has not completed a satisfactory workforce staffing model as required by Congress in 2011.

What, if any, effort is CBP making to develop and implement a Border Patrol staffing model?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR BENJAMINE "CARRY"
HUFFMAN

Question 1a. In February 2019, CBP launched the "Fast Track" pilot program for applicants who agree to complete required hiring steps within set time lines. The goal of Fast Track is to reduce time to hire from roughly 300 days to 120 days for a certain subset of the applicant pool.

Which applicants are eligible for Fast Track?

Answer. Response was not received at the time of publication.

Question 1b. Are there specific steps in the 12-step hiring process that are being revised or eliminated to reduce time to hire? If so, please explain.

Answer. Response was not received at the time of publication.

Question 1c. What actions is CBP taking to ensure applicant integrity through the Fast Track pilot program?

Answer. Response was not received at the time of publication.

Question 1d. How will CBP evaluate program effectiveness?

Answer. Response was not received at the time of publication.

Question 1e. How many CBPO and Border Patrol Agent (BPA) applicants have utilized the Fast Track pilot program to date?

Answer. Response was not received at the time of publication.

Question 2a. According to GAO, as of April 2018, CBP leadership was evaluating a request from Border Patrol for a 10 percent across-the-board retention incentive for all Border Patrol agents at the GS-13 level and below. Additionally, as of May 2018, CBP was reportedly planning to submit a request to the Office of Personnel Management (OPM) for a \$10 per day remote duty location allowance for Border Patrol agents at 17 remote duty stations.

What is the status of these requests?

Answer. Response was not received at the time of publication.

Question 2b. Please identify all Border Patrol stations where a remote duty location allowance has been approved.

Answer. Response was not received at the time of publication.

Question 2c. What analyses, if any, has CBP performed to evaluate the effectiveness of these incentives on recruitment, hiring, and retention? What are the results of these analyses?

Answer. Response was not received at the time of publication.

Question 2d. What, if any, other incentives are being considered to improve recruitment, hiring, and retention of Border Patrol agents in remote duty stations?

Answer. Response was not received at the time of publication.

Question 3a. GAO found that, in fiscal year 2017, OFO implemented a special salary rate for CBPOs at the Portal, North Dakota port of entry and that no CBPOs had departed the remote port since the special salary rate was implemented. OFO reportedly is considering additional special salary rates in hard-to-fill locations.

Which specific ports of entry is CBP considering for additional special salary rates and/or other recruitment or retention incentives?

Answer. Response was not received at the time of publication.

Question 3b. What analyses has CBP performed to evaluate the effectiveness of these incentives, and what are the results of these analyses?

Answer. Response was not received at the time of publication.

Question 4a. Why did CBP determine that it needed to contract out its hiring responsibilities to accomplish its hiring goals?

Did CBP not first seek to increase its internal capacity instead?

Answer. Response was not received at the time of publication.

Question 4b. Was there any discussion among decision makers to conduct a pilot to determine if the scope of the project was feasible before the Accenture Federal Services hiring contract was awarded?

Answer. Response was not received at the time of publication.

Question 5a. What modifications have been made to CBP's hiring contract with Accenture Federal Services since a partial stop work order was issued in December 2018?

What specific activities will Accenture continue to perform?

Answer. Response was not received at the time of publication.

Question 5b. How will CBP ensure that it incorporates best practices learned from Accenture's work in the areas that Accenture will continue to contribute to, so that at the completion of the contract CBP will be better positioned to perform those activities in house?

Answer. Response was not received at the time of publication.

Question 5c. What specific activities is Accenture no longer responsible for?

Answer. Response was not received at the time of publication.

Question 5d. Please provide a copy of the modified contract.

Answer. Response was not received at the time of publication.

Question 6a. I understand that, in response to the partial stop work order, CBP is negotiating a settlement agreement with Accenture Federal Services.

Please describe the process for reaching this settlement agreement.

Answer. Response was not received at the time of publication.

Question 6b. What are the terms of the settlement agreement?

Answer. Response was not received at the time of publication.

Question 6c. How will the pay structure of the contract change in response to Accenture's contractual obligations being scaled back?

Answer. Response was not received at the time of publication.

Question 6d. Please provide a copy of the settlement agreement.

Answer. Response was not received at the time of publication.

QUESTIONS FROM HONORABLE DINA TITUS FOR BENJAMINE "CARRY" HUFFMAN

Question 1a. Please provide demographic data, including data on the ethnicity/race, gender, and disability/veteran status of law enforcement personnel at Border Patrol, OFO, and CBP generally.

Answer. Response was not received at the time of publication.

Question 1b. What efforts, if any, is CBP making to foster a more diverse and inclusive workforce?

Answer. Response was not received at the time of publication.

Question 2a. Please provide current staffing levels and target staffing levels for McCarran International Airport.

Answer. Response was not received at the time of publication.

Question 2b. What efforts, if any, is CBP making to staff U.S. Customs at McCarran International Airport outside of normal operating hours?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRWOMAN XOCHITL TORRES SMALL FOR REBECCA GAMBLER

Question 1a. Ms. Gambler and Mr. Huffman, during our conversations I was glad to hear you speak on CBP's two hiring metrics—the time to hire and the overall applicant pass rate.

What is the time to hire and overall applicant pass rate in the El Paso Sector during fiscal year 2017 and fiscal year 2018? Please provide the levels at each station in the sector.

Answer. Response was not received at the time of publication.

Question 1b. How do these numbers compare to the time to hire and overall applicant pass rate in the Rio Grande Valley Sector, Laredo Sector, San Diego Sector, Tucson Sector, and Yuma Sector?

Answer. Response was not received at the time of publication.

QUESTIONS FROM HONORABLE CLAY HIGGINS FOR RODOLFO KARISCH

Question 1. Chief Karisch, there are a lot of numbers we keep track of when assessing operational control of our borders. The ones I most frequently hear about are “apprehensions” between the ports of entry and “inadmissibles” at the ports of entry. However, it is safe to say that we do not catch a lot of what or who crosses our border illegally.

How do you quantify what we are missing?

Answer. Response was not received at the time of publication.

Question 2. What percent of people who enter illegally are we not apprehending?

Answer. Response was not received at the time of publication.

Question 3. What percent of drugs that enter illegally are we not seizing?

Answer. Response was not received at the time of publication.

Question 4. How accurate would you say your “got away” statistics are?

Answer. Response was not received at the time of publication.

QUESTIONS FROM CHAIRMAN BENNIE G. THOMPSON FOR JOHN B. GOODMAN

Question 1. Please describe in detail the challenges Accenture experienced recruiting and hiring personnel for CBP.

Answer. Response was not received at the time of publication.

Question 2a. What modifications have been made to CBP’s hiring contract with Accenture Federal Services since a partial stop work order was issued in December 2018?

What specific activities will Accenture continue to perform?

Answer. Response was not received at the time of publication.

Question 2b. What specific activities is Accenture no longer responsible for?

Answer. Response was not received at the time of publication.

Question 3a. I understand that, in response to the partial stop work order, CBP is negotiating a settlement agreement with Accenture Federal Services.

Please describe the process for reaching this settlement agreement.

Answer. Response was not received at the time of publication.

Question 3b. What are the terms of the settlement agreement?

Answer. Response was not received at the time of publication.

Question 3c. How will the pay structure of the contract change in response to Accenture’s contractual obligations being scaled back?

Answer. Response was not received at the time of publication.

Question 3d. Please provide a copy of the settlement agreement.

Answer. Response was not received at the time of publication.

