AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

HEARING TO EXAMINE THE JOINT PERFORMANCE OF APHIS, U.S. DEPARTMENT OF AGRICULTURE, AND CBP, U.S. DEPARTMENT OF HOMELAND SECURITY IN PROTECTING U.S. AGRICULTURE FROM FOREIGN PESTS AND DISEASES

HEARING

BEFORE THE

SUBCOMMITTEE ON
HORTICULTURE AND ORGANIC AGRICULTURE

OF THE

COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

WEDNESDAY, OCTOBER 3, 2007

Serial No. 110–29

Printed for the use of the Committee on Agriculture
agriculture.house.gov

U.S. GOVERNMENT PRINTING OFFICE

48–534 PDF WASHINGTON : 2009

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

COMMITTEE ON AGRICULTURE

COLLIN C. PETERSON, Minnesota, *Chairman*

TIM HOLDEN, Pennsylvania, *Vice Chairman*
MIKE McINTYRE, North Carolina
BOB ETHERIDGE, North Carolina
LEONARD L. BOSWELL, Iowa
JOE BACA, California
DENNIS A. CARDOZA, California
DAVID SCOTT, Georgia
JIM MARSHALL, Georgia
STEPHANIE HERSETH SANDLIN, South Dakota
HENRY CUELLAR, Texas
JIM COSTA, California
JOHN T. SALAZAR, Colorado
BRAD ELLSWORTH, Indiana
NANCY E. BOYDA, Kansas
ZACHARY T. SPACE, Ohio
TIMOTHY J. WALZ, Minnesota
KIRSTEN E. GILLIBRAND, New York
STEVE KAGEN, Wisconsin
EARL POMEROY, North Dakota
LINCOLN DAVIS, Tennessee
JOHN BARROW, Georgia
NICK LAMPSON, Texas
JOE DONNELLY, Indiana
TIM MAHONEY, Florida

BOB GOODLATTE, Virginia, *Ranking Minority Member*
TERRY EVERETT, Alabama
FRANK D. LUCAS, Oklahoma
JERRY MORAN, Kansas
ROBIN HAYES, North Carolina
TIMOTHY V. JOHNSON, Illinois
SAM GRAVES, Missouri
JO BONNER, Alabama
MIKE ROGERS, Alabama
STEVE KING, Iowa
MARILYN N. MUSGRAVE, Colorado
RANDY NEUGEBAUER, Texas
CHARLES W. BOUSTANY, JR., Louisiana
JOHN R. "RANDY" KUHL, JR., New York
VIRGINIA FOXX, North Carolina
K. MICHAEL CONAWAY, Texas
JEFF FORTENBERRY, Nebraska
JEAN SCHMIDT, Ohio
ADRIAN SMITH, Nebraska
TIM WALBERG, Michigan

PROFESSIONAL STAFF

ROBERT L. LAREW, *Chief of Staff*
ANDREW W. BAKER, *Chief Counsel*
APRIL SLAYTON, *Communications Director*
WILLIAM E. O'CONNER, JR., *Minority Staff Director*

SUBCOMMITTEE ON HORTICULTURE AND ORGANIC AGRICULTURE

DENNIS A. CARDOZA, California, *Chairman*

BOB ETHERIDGE, North Carolina
LINCOLN DAVIS, Tennessee
TIM MAHONEY, Florida
JOHN BARROW, Georgia
KIRSTEN E. GILLIBRAND, New York

RANDY NEUGEBAUER, Texas, *Ranking Minority Member*
JOHN R. "RANDY" KUHL, JR., New York
VIRGINIA FOXX, North Carolina
K. MICHAEL CONAWAY, Texas

KEITH JONES, *Subcommittee Staff Director*

CONTENTS

	Page
Cardoza, Hon. Dennis A., a Representative in Congress from California, opening statement	1
Prepared statement	2
Goodlatte, Hon. Bob, a Representative in Congress from Virginia, opening statement	7
Prepared statement	8
Mahoney, Hon. Tim, a Representative in Congress from Florida, prepared statement	9
Neugebauer, Hon. Randy, a Representative in Congress from Texas, opening statement	3
Prepared statement	4
Peterson, Hon. Collin C., a Representative in Congress from Minnesota, opening statement	5
Prepared statement	6
WITNESSES	
Jurich, John, Investigator, Committee on Agriculture, U.S. House of Representatives, Washington, D.C.	10
Prepared statement	13
Shames, Lisa, Director, Natural Resources and Environment, U.S. Government Accountability Office, Washington, D.C.	82
Prepared statement	83
Taylor, James L., Deputy Inspector General and Acting Assistant Inspector General for Audits, Office of Inspector General, U.S. Department of Homeland Security, Washington, D.C.; accompanied by Kathleen S. Tighe, Deputy Inspector General, Office of Inspector General, U.S. Department of Agriculture, Washington, D.C.	92
Prepared statement	94
Bronson, Hon. Charles H., Commissioner, Florida Department of Agriculture and Consumer Services, Tallahassee, FL	115
Prepared statement	117
McClung, John M., President and CEO, Texas Produce Association, Mission, TX	120
Prepared statement	121
Nelsen, Joel A., President, California Citrus Mutual, Exeter, CA	123
Prepared statement	125
SUBMITTED STATEMENTS	
Neff, Michael W., Executive Director, American Society for Horticultural Science, Alexandria, VA	137

HEARING TO EXAMINE THE JOINT PERFORMANCE OF APHIS, U.S. DEPARTMENT OF AGRICULTURE, AND CBP, U.S. DEPARTMENT OF HOMELAND SECURITY IN PROTECTING U.S. AGRICULTURE FROM FOREIGN PESTS AND DISEASES

WEDNESDAY, OCTOBER 3, 2007

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HORTICULTURE AND ORGANIC AGRICULTURE,
COMMITTEE ON AGRICULTURE,
Washington, D.C.

The Subcommittee met, pursuant to call, at 10:04 a.m., in Room 1300 of the Longworth House Office Building, Hon. Dennis A. Cardoza [Chairman of the Subcommittee] presiding.

Members present: Representatives Cardoza, Etheridge, Davis, Mahoney, Barrow, Gillibrand, Peterson (*ex officio*), Neugebauer, Kuhl, Foxx, Conaway, and Goodlatte (*ex officio*).

Staff present: Adam Durand, Alejandra Gonzalez-Arias, Keith Jones, Scott Kuschmider, John Riley, Kristin Sosanie, Patricia Barr, Bryan Dierlam, John Goldberg, Pam Miller, Pete Thomson, and Jamie Weyer.

OPENING STATEMENT OF HON. DENNIS A. CARDOZA, A REPRESENTATIVE IN CONGRESS FROM CALIFORNIA

The CHAIRMAN. Good morning. This hearing of the Horticulture and Organic Agriculture Subcommittee to examine the joint performance of the Animal and Plant Health Inspection Service, U.S. Department of Agriculture, and the Customs and Border Protection, U.S. Department of Homeland Security in protecting the U.S. agriculture from foreign pests and diseases will come to order. I would like to welcome you all here. I heard from my Ranking Member, Mr. Neugebauer, that one of the elevators is not working. That is why he was late. And I assured him that I was not in charge of that part of this. We are very happy to have him and the rest of the Committee here today.

We are here to look at protecting the United States from agricultural pests, from foreign pests and disease, but the issue at hand as most of the audience is well aware; hidden within the authorization of the Homeland Security Department was a little noticed provision that mandated Animal and Plant Health Inspection Services, 1,800 agriculture inspectors to move from USDA to the newly cre-

ated Department of Homeland Security's Customs and Border Protection Division. This move was made in order to consolidate customs and border enforcement into one agency, a decision I am sure was made with all good intentions in mind.

However, as the GAO reported in 2006 since the transfer of these USDA employees to Customs and Border Protection has not developed sufficient performance measures that take into account the agency's expanded mission or to consider all the pathways by which prohibited agricultural items or foreign pests may enter the country. In essence, the GAO found that the Department of Homeland Security was not meeting its mission to guard our domestic agricultural industry from foreign threats at the border. This deficiency cannot stand and should not be tolerated. Stopping foreign pests and prohibited agricultural products from entering the U.S. might not be as sexy a topic as stopping weapons or drugs, but it is certainly as important.

These are six and eight-legged terrorists that can wreck havoc on our nation's agricultural industry by costing billions of taxpayer dollars in eradication efforts and decimating our ability to access new export markets. While I certainly would prefer to see these inspection employees moved immediately back to USDA where I believe they belong, my greater concern is that wherever they are right now, they must certainly have the tools and the resources at their disposal to do their job effectively and efficiently. Today with the input from our esteemed panelists, I want to take an in-depth look at the staffing, training, and morale problems that persist within the homeland security apparatus.

With this information the Committee Members will be more prepared when the Agriculture Committee and the Homeland Security Committee hold a joint full Committee hearing now scheduled for November 1. While today's hearing will focus on the problems persisting within our nation's agriculture inspection programs the joint hearing in November will focus on possible solutions to this impending crisis including encouraging USDA and the Department of Homeland Security to develop a standardized reputable training program that properly identifies and assesses the major threats posed by foreign agricultural pests and disease. Preventing pest and disease infestation is a paramount concern to all of American agriculture but primarily to our specialty crop industry. As Chairman of this Subcommittee, I have vowed to fight for them on this issue, and I promise again today that I will not back down.

[The prepared statement of Mr. Cardoza follows:]

PREPARED STATEMENT OF HON. DENNIS A. CARDOZA, A REPRESENTATIVE IN CONGRESS FROM CALIFORNIA

I would like to welcome everyone to the Subcommittee on Horticulture and Organic Agriculture's review of the joint performance of the Animal and Plant Health Inspection Service, U.S. Department of Agriculture and Customs and Border Protection, U.S. Department of Homeland Security in protecting U.S. agriculture from foreign pests and disease.

But to the issue at hand, as most of the audience is well aware, hidden within the authorization of the Homeland Security Department, was a little-noticed provision that mandated Animal and Plant Health Inspection Service's 1,800 agricultural inspectors to move from USDA to the newly created Department of Homeland Security's Custom and Border Protection Division.

This move was made in order to consolidate customs and border enforcement into one agency, a decision that I am sure was made with all good intentions in mind.

However, as the GAO reported in 2006, since the transfer of these USDA employees "Customs and Border Protection has not developed sufficient performance measures that take into account the agency's expanded mission or consider all pathways by which prohibited agricultural items or foreign pests may enter the country."

In essence, the GAO found that the Department of Homeland Security was not meeting its mission to guard our domestic agriculture industry from foreign threats at the border. This deficiency can not and *should not* be tolerated.

Stopping foreign pests and prohibited agricultural products from entering the U.S. might not be as sexy as stopping terrorists, weapons or drugs but it is certainly just as important.

These are six and eight-legged terrorists that can wreak havoc on our nation's agricultural industry, costing billions of taxpayer dollars in eradication efforts and decimate our ability to access new export markets.

While I certainly would prefer to see these inspection employees moved immediately back to USDA, where I believe they belong, my greater concern is that wherever they are right now, they must certainly have the tools and resources at their disposal to do their job effectively and efficiently.

Today, with the input from our esteemed panelists, I want to take an in-depth look at the staffing, training and morale problems that persist within Homeland Security. With this information, Committee Members will be more prepared when the Agriculture Committee and the Homeland Security Committee hold a joint Full Committee hearing on November 1st.

While today's hearing will focus on the problems persisting within the our nation's agricultural inspection programs, the joint hearing in November will focus on possible solutions to this impending crisis including encouraging USDA and the Department of Homeland Security to develop a standardized, reputable training program that properly identifies and assess the major threats posed by foreign agricultural pests and diseases.

Preventing pest and disease infestation is a paramount concern to all of American agriculture, but primarily to our specialty crop industry. As Chairman of this Subcommittee, I have vowed to fight for them on this issue and I promise again today that I will not back down.

I greatly appreciate the panelists for their willingness to testify here today and with that I would like to invite the first panel to begin.

The CHAIRMAN. I greatly appreciate the panelists' work, and their willingness to be here to testify. And with that, I would like to recognize my friend and Ranking Member, Mr. Neugebauer.

OPENING STATEMENT OF HON. RANDY NEUGEBAUER, A REPRESENTATIVE IN CONGRESS FROM TEXAS

Mr. NEUGEBAUER. Well, thank you, Chairman Cardoza, for calling today's Subcommittee hearing. Much of what we do in Congress is about national security, and protection of our country's agriculture is an important component of national security, one that the Agriculture Committee should take seriously, and does take seriously. Certainly it is impossible to prevent the introduction of all foreign agricultural pests and diseases into our country but we also know an effective agricultural inspection at our borders and ports goes a long way in minimizing the introduction of these threats. These pests and diseases cost farmers millions of dollars in lost production and put many out of business; not to mention the huge cost to states and the USDA to contain and eradicate these pests.

It is imperative that our Agricultural Quarantine Inspection service, a cooperative effort between USDA–APHIS, and the Department of Homeland Security's Customs and Border Protection Division is performing at an optimal level. We know performance has been sub-par in the past few years since the transfer of the inspection responsibilities to CBP. The DHS Inspector General, the GAO, and the independent investigator from the House Agriculture

Committee have all concluded that: staffing was insufficient; interagency coordination was weak; vital data was not being collected in the field; inspections and interceptions decreased; and staff morale suffered. These reviews have brought many shortcomings to light. To their credit, CBP and APHIS have acted on many of the recommendations, but the question is and what we want to hear today, has enough been done?

The question before us now is whether agriculture is coming out ahead in this transition of inspection services to Homeland Security, is there sufficient emphasis in coordination within CBP for the agriculture mission when the agency is tasked with other important border security missions or are APHIS and CBP truly incompatible agencies keeping the agricultural security mission from becoming a success. The Agriculture Committee sent a strong message through efforts to return the inspection functions to USDA in the House farm bill, but we can't make that change without the concurrence of the Homeland Security Committee. I hope the witnesses today can help us better understand why some of the things have gone wrong, whether anything is going right, and what Congress may need to do to help make sure that our nation has the best agricultural pest and disease protection possible.

This Committee has a responsibility to make sure that agriculture is fully protected. And, Mr. Chairman, I look forward to hearing from these witnesses today.

[The prepared statement of Mr. Neugebauer follows:]

PREPARED STATEMENT OF HON. RANDY NEUGEBAUER, A REPRESENTATIVE IN CONGRESS FROM TEXAS

Thank you, Chairman Cardoza, for calling today's Subcommittee hearing. A central and large part of Congress' work concerns national security. Protection of our country's agriculture is an important component of national security that we on the Agriculture Committee take seriously.

Certainly it is impossible to prevent the introduction of all foreign agriculture pests and diseases into our country. But we also know an effective agriculture inspection at our borders and ports goes a long way toward minimizing introduction of threats.

These pests and diseases cost farmers millions of dollars in lost production and put many out of business, not to mention the huge cost to states and USDA to contain and eradicate these pests.

It is imperative that our Agriculture Quarantine Inspection Service, a cooperative effort between USDA–APHIS and the Department of Homeland Security's Customs and Border Protection division, is performing at an optimal level. We know for performance has been sub-part in the first few years since the transfer of inspection responsibilities to CBP.

The DHS Inspector General, the GAO, and an independent investigator from the House Agriculture Committee have all concluded that staffing was insufficient; inter-agency coordination was weak; vital data were not being collected in the field; inspections and interceptions decreased; and staff morale suffered.

These reviews have brought many shortcomings to light. To their credit, CBP and APHIS have acted on many of the recommendations. But has enough been done?

The question before us now is whether agriculture is coming out ahead in this transition of inspection services to Homeland Security. Is there sufficient emphasis and coordination within CBP for the agriculture mission when that agency is tasked with other important border security missions? Or are APHIS and CBP incompatible agencies, keeping the agriculture security mission from becoming a success?

The Agriculture Committee sent a strong message through efforts to return the inspection functions to USDA in the House farm bill. But we can't make that change without the concurrence of the Homeland Security Committee.

My hope is that the witnesses today can help us better understand why some things have gone wrong, whether anything is going right and what Congress needs

to do from here to ensure our nation has the best agriculture pest and disease protection possible. This Committee has a responsibility to the American people to make sure agriculture is fully protected.

The CHAIRMAN. Thank you, Mr. Neugebauer. I would like to now recognize the Chairman of the full Committee, a good friend, who did a fabulous job getting the House version of the farm bill passed before the farm bill expired. We are looking for our friends in the Senate to get busy with their portion of the farm bill any day now. But, Mr. Chairman, thank you for all the work that you did during the writing of the farm bill on our side. And I would now like to recognize you for an opening statement.

OPENING STATEMENT OF HON. COLLIN C. PETERSON, A REPRESENTATIVE IN CONGRESS FROM MINNESOTA

Mr. PETERSON. Thank you, Mr. Chairman, and thank you for calling this hearing and for your excellent persistent work that you have done on this issue. I know this topic has been a priority of yours for some time and you called repeated attention to APHIS inspections during the farm bill process both in Committee and on the House floor. And I know because of jurisdictional issues we couldn't do all that you wanted to do in this regard. We couldn't do all that we should have done, but we are going to keep the pressure on and keep this topic on the front burner. I welcome today's witnesses, and particularly I want to welcome John Jurich, who is on our first panel this morning. John is the Investigator of the House Agriculture Committee having been with this Committee for 7 years.

Earlier this year John performed a review at the request of this Committee under then-Chairman Goodlatte to examine coordination between APHIS and the Customs and Border Protection staffs following the 2002 transfer. This Committee has had longstanding issues with the APHIS transfer, and having read the report Mr. Jurich compiled those concerns, and in my opinion, were well founded. He visited almost 20 ports from coast to coast, interviewed hundreds of employees and produced a very interesting report that calls into question the priority of agricultural inspection under our chief government agency responsible for protecting our borders from threats of all shapes and sizes.

We will also hear from the Government Accountability Office and from Homeland Security's Inspector General, who will also testify that much needs to be done at the border level to enhance security of our nation's food supply although they are getting a little carried away. I don't know if Members are aware but over the weekend the duck and goose season started in Canada, and somehow or other they got the bright idea that they were going to enforce the bird flu deal and they apparently confiscated 4,600 ducks and geese, including 160 from some friends of mine who went ballistic over this, and they want some heads to roll. But I don't know what in the world is going on over there that they don't know if these ducks are dead and they probably don't have much of a chance to go infect anybody else at that point.

Apparently on Monday they realized the error of their ways and changed the rule, but we may see if anybody knows any more about that this morning. Anyway, these agriculture inspectors who

were interviewed by our witnesses say that the agriculture inspection mission has been threatened by the transfer. Mr. Jurich's investigation revealed that the transfer itself caused a major shake-up in staffing where many experienced and able-bodied inspectors were transferred to other agencies or left the workforce altogether. Those who have remained feel as if the prevention of plant pests and diseases are very low on the Customs and Border Patrol priority list. Even worse, people who should be performing vital inspections are tasked with data entry or other cursory exercises which do nothing to protect our nation's food supply.

We know that if foreign pests and diseases are allowed to threaten our food supply, they cause serious damage throughout the agriculture food chain from producer to processor to retailer to consumer. Last month the State of California was forced to establish a 114 mile quarantine zone around the City of Dixon after discovering Mediterranean fruit fly infestation. Farmers and growers in that area, big and small, are going to lose tens of thousands of dollars a week in sale of fruits and vegetables and will continue to do so until inspectors are certain that the medfly is no longer present, a process that will take, we are being told, at least 9 months or maybe longer.

If we do not get a handle on this situation and get these jurisdictional issues ironed out, this kind of thing will continue to happen. It is my hope here today that the discussion will provoke serious and pointed questions when the full Committee gathers in the future to take up this issue by speaking with Acting Agriculture Secretary Conner and Homeland Security Chairman Chertoff. So I welcome today's witnesses. I look forward to their testimony and appreciate the Chairman making time for me.

[The prepared statement of Mr. Peterson follows:]

PREPARED STATEMENT OF HON. COLLIN C. PETERSON, A REPRESENTATIVE IN CONGRESS FROM MINNESOTA

Thank you, Chairman Cardoza, for calling this hearing today and for the excellent and persistent work you have done on this issue. I know this topic has been a priority of yours for some time and you called repeated attention to APHIS inspections during the farm bill process, both in Committee and on the House floor. I know because of jurisdictional issues we couldn't do all that we wanted to do in this regard. We couldn't do all that we should have done, frankly, but we are going to keep the pressure on and keep this topic on the front burner.

I welcome today's witnesses and in particular I want to welcome John Jurich who is on our first panel this morning. John is the Investigator of the House Agriculture Committee, having been with the Committee for 7 years. Earlier this year, John performed a review at the request of this Committee under then-Chairman Goodlatte to examine coordination between APHIS and the Customs and Border Protection staffs following the 2003 transfer of APHIS out of USDA and over to CBP as part of the creation of the Department of Homeland Security.

This Committee has had long standing issues with the APHIS transfer and having read the report Mr. Jurich compiled, those concerns were well founded. He visited almost twenty ports from coast to coast, interviewed hundreds of employees, and produced a very interesting report that calls into question the priority of agricultural inspection under our chief government agency responsible for protecting our borders from threats of all shapes and sizes.

Indeed, we will also hear from the Government Accountability Office and from Homeland Security's Inspector General who will also testify that much needs to be done at the border level to enhance the security of our nation's food supply. After reading the testimony presented today, it is clear CBP must address several management problems to reduce the vulnerability of U.S. agriculture to foreign pests and diseases.

Those agricultural inspectors who were interviewed by our witnesses say that the agriculture inspection mission has been threatened by the transfer. Mr. Jurich's investigation revealed the transfer itself caused a major shakeup in staffing, where many experienced and able-bodied inspectors transferred to other agencies or left the workforce altogether. Those who have remained feel as if the prevention of plant pests and diseases are very low on the CBP priority list. Even worse, people who should be performing vital inspections are tasked with data entry or other cursory exercises which do nothing to protect our nation's food supply.

We know that if foreign pests and diseases are allowed to threaten our food supply, they cause serious damage throughout the agricultural food chain, from producer to processor to retailer to consumer. Last month, the State of California was forced to establish a 114 mile quarantine zone around the City of Dixon after discovering a Mediterranean fruit fly infestation. Farmers and growers in that area, big and small, are going to lose tens of thousands of dollars a week in sales of fruits and vegetables and will continue to do so until inspectors are certain that the medfly is no longer present, a process that will take at least 9 months, maybe longer. If we do not get a handle on this situation and get these jurisdictional issues ironed out, this kind of thing will continue to happen.

It is my hope that the discussion today will provoke serious and pointed questions when the full Committee gathers in the future to take up this issue by speaking with Acting Agriculture Secretary Conner and Homeland Security Chairman Chertoff. I welcome today's witnesses, I look forward to their testimony, and I yield back my time.

The CHAIRMAN. Thank you, Mr. Chairman. I want to recognize that you have been a tireless advocate in support of what we are trying to do here, and thank you for your leadership in many areas. Now I would like to recognize the Ranking Member of the full Committee, Mr. Goodlatte, who initially sent out the investigator to start looking into this area. Thank you for your work, Mr. Goodlatte, you are recognized for your opening statement.

OPENING STATEMENT OF HON. BOB GOODLATTE, A REPRESENTATIVE IN CONGRESS FROM VIRGINIA

Mr. GOODLATTE. Thank you, and I want to first thank you, Chairman Cardoza, for holding this hearing today, and for the leadership that Congressman Neugebauer, our Ranking Member, has shown as well. I have been concerned about how the Agricultural Quarantine Inspection program has been faring in the Department of Homeland Security for quite some time. Early in 2005 while serving as Chairman of the full Committee, I assigned our Committee Investigator, Mr. Jurich, to look into this issue, and I am pleased that he will be a witness at the witness table today to share his results and conclusions with the Subcommittee.

As we consider this issue, there should be no mistake about the fact that the Members of this Committee and all of our constituents are fully committed to the war on terrorism. The creation of a Department of Homeland Security struck many as a logical step in that effort. Further, given the importance of protecting the production capability of our rural areas this Committee recognized that DHS should have a role in protecting agriculture as well. When I sat on the Select Committee on Homeland Security, I had hoped that by raising concerns with DHS early in the process of merging the legacy Agriculture Customs and Immigration inspectors into the Customs and Border Protection Program DHS program managers would understand the importance of the agricultural inspection mission which had been entrusted to them, and proper management of the program would be a priority. Yet, 5 years and at least three audit investigations later, we remain concerned that

AQI is not a priority, and many of us have come to the conclusion that the AQI program simply does not fit in with the law enforcement structure of the Customs and Border Protection program.

It is my understanding that DHS believes that its principal mission is to protect this nation against intentional acts of terrorism. This is without a doubt a vital mission. Protecting our food supply against the intentional or unintentional introduction of foreign pests and disease is an equally important mission. When it comes to plant and animal pests and disease the end result of crop or livestock illness or devastation is the same regardless of intentionality. What DHS program managers have failed to appreciate is that the AQI program mission is equally concerned with the intentional and unintentional introduction of plant and animal diseases and pests. In its efforts to prevent terrorist attacks, I believe that DHS has relegated its responsibility of protecting agriculture to the back burner as evidenced by the reduction in the number of inspections and interceptions.

Over the years hundreds of millions of taxpayer dollars, countless man hours, and a wealth of education and experience have been devoted to the AQI function, and the current management of the program stands to put all of that in jeopardy. Those with experience in this field understand the old adage, "An ounce of prevention is worth a pound of cure." If an accidental introduction of foot and mouth disease were to occur it could cost our economy tens of billions of dollars and possibly decimate our domestic cattle herd. Compare this to the simple investment of time and personnel and preventive measures to adequately safeguard our agricultural production against the introduction of such foreign diseases, and you could begin to understand our concern with reports that DHS is dropping the ball in this mission.

In our zeal to focus the attention of the intentional threat to America, we cannot afford to neglect our responsibility to protect against the introduction of threats facing our agricultural producers. After a trial period of nearly 5 years, I continue to be concerned that the simple logic of this prevention equation is lost on the program managers within the Department of Homeland Security. It is my hope that now that this and subsequent hearings will be jointly held with the Committee on Homeland Security on this issue we will finally raise awareness of our concerns within the political circles of DHS, and we will see a new found and permanent commitment to insuring that the AQI program does not wither on the vine.

Again, I want to thank Chairman Cardoza for his focus on this issue, as well as Chairman Peterson, and I look forward to the testimony of today's witnesses. I yield back.

[The prepared statement of Mr. Goodlatte follows:]

PREPARED STATEMENT OF HON. BOB GOODLATTE, A REPRESENTATIVE IN CONGRESS FROM VIRGINIA

I want to first thank Chairman Cardoza for holding this hearing today. I have been concerned about how the Agricultural Quarantine Inspection (AQI) operational port inspection program has been faring in the Department of Homeland Security for quite some time. Early in 2005 while serving as Chairman of the full Committee, I assigned our Committee Investigator Mr. Jurich to look into this issue. I am

pleased that Mr. Jurich will be at the witness table today to share his results and conclusions with the Subcommittee.

As we consider this issue, there should be no mistake about the fact that the Members of this Committee and all of our constituents are fully committed to the war on terrorism. The creation of a Department of Homeland Security struck many as a logical step in that effort. Further, given the importance of protecting the production capability of our rural areas, this Committee recognized that DHS should have a role in protecting agriculture as well.

When I sat on the Select Committee on Homeland Security, I had hoped that by raising concerns with DHS early in the process of merging the legacy agriculture, customs and immigration inspectors into the Customs and Border Protection program, DHS program managers would understand the importance of the agricultural inspection mission which had been entrusted to them and proper management of the program would be a priority. Yet, 5 years and at least three audit investigations later, we remain concerned that AQI is not a priority and many of us have come to the conclusion that the AQI program simply does not fit in with the law enforcement structure of the Customs and Border Protection program.

It is my understanding that DHS believes that its principal mission is to protect this nation against *intentional* acts of terrorism. This is, without a doubt, a vital mission.

Protecting our food supply against the intentional or unintentional introduction of foreign pests and disease is an equally important mission. When it comes to plant and animal pests and disease, the end result of crop or livestock illness or devastation is the same regardless of intentionality. What DHS program managers have failed to appreciate is that the AQI program mission is equally concerned with the intentional and unintentional introduction of plant and animal diseases and pests. In its efforts to prevent terrorist attacks, I believe that DHS has relegated its responsibility of protecting agriculture to the back burner as evidenced by the reduction in the number of inspections and interceptions. Over the years, hundreds of millions of taxpayer dollars, countless man hours, and a wealth of education and experience have been devoted to the AQI function. And the current management of the program stands to put all of that in jeopardy.

Those with experience in this field understand the old adage: "An ounce of prevention is worth a pound of cure." If an accidental introduction of foot and mouth disease were to occur, it would cost our economy tens of billions of dollars and possibly decimate our domestic cattle herd. Compare this to the simple investment of time and personnel in preventive measures to adequately safeguard our agricultural production against the introduction of such foreign diseases and you can begin to understand our concern with reports that DHS is dropping the ball in this mission. In our zeal to focus the attention on the intentional threat to America, we cannot afford to neglect our responsibility to protect against the introduction of threats facing our agricultural producers.

After a trial period of nearly 5 years, I continue to be concerned that the simple logic of this prevention equation is lost on the program managers within DHS.

It is my hope now that this and subsequent hearings to be held jointly with the Committee on Homeland Security on this issue will finally raise awareness of our concerns within the political circles of DHS and we will see a new-found and permanent commitment to ensuring that the AQI program does not wither on the vine.

Again, I want to thank Chairman Cardoza for his focus on this issue. I look forward to the testimony of today's witnesses and I yield back.

The CHAIRMAN. Thank you, Congressman Goodlatte. The Chair would request that other Members submit their opening statements for the record so that witnesses may begin their testimony and it will be assured that there is ample time for questions.

[The prepared statement of Mr. Mahoney follows:]

PREPARED STATEMENT OF HON. TIM MAHONEY, A REPRESENTATIVE IN CONGRESS FROM FLORIDA

I want to thank Chairman Collin Peterson, Subcommittee Chairman Dennis Cardoza, and my colleagues on the Committee. I would also like to thank Commissioner Bronson and our other distinguished guests for taking the time to talk with us on this important matter.

I'd like to start by saying that the stakes are high for Florida. On average, Florida sees the introduction of one new pest every month! This one statistic alone is stag-

gering in its implications for prevention, control, and eradication of devastating pests and disease.

The effects of invasive pests and diseases can be devastating. In my district, the Village of Wellington is home to a large equestrian industry and is the home of the National Horse Show. When several horses tested positive for equine herpes, the show was nearly cancelled and many competitors chose to stay away anyway. Through the efforts of the Florida Department of Agriculture, this outbreak was limited to 10 premises, with 18 infected or presumed infected horses, and six deaths. These efforts required approximately 4,000 man hours of Division employee time and other Department related expenses exceeded $130,000. Without the rapid detection and an immediate response provided by FDACS, the potential losses could have been enormous.

In this year's Agriculture Appropriations bill alone, the House appropriated $1.7 million for Citrus Canker/Greening research, on top of the millions of dollars that the state and Federal Government have already spent to eradicate this problem from Florida. The Ag Appropriations bill also provides $36 million for a Citrus Health Response Plan as a management tool for citrus canker because USDA APHIS has determined that complete eradication is just not feasible. I am proud that we are able to provide this level of support to our states and our local producers who are on the front line.

However, I much prefer an ounce of prevention instead of millions of dollars worth of cure. I hope that we all walk away from this hearing with a clear understanding of the threat that pests and disease pose to agriculture. But I also hope that we walk away with a clear path to a solution.

Thank you.

The CHAIRMAN. I now would like to introduce the first panel of witnesses. We have to my left Mr. John Jurich, Investigator, House Committee on Agriculture, Washington, D.C. Welcome, Mr. Jurich. Ms. Lisa Shames, Director, Natural Resources and the Environment, U.S. Government Accountability Office, Washington, D.C. Mr. James L. Taylor, Acting Assistant Inspector General for the Office of Audits, Office of Inspector General, U.S. Department of Homeland Security, Washington, D.C., accompanied by Ms. Kathleen S. Tighe, Deputy Inspector General, Office of the Inspector General of U.S. Department of Agriculture, Washington, D.C. Mr. Jurich, the floor is yours. Please feel free to proceed.

STATEMENT OF JOHN JURICH, INVESTIGATOR, COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

Mr. JURICH. Chairman Cardoza, Ranking Member Neugebauer, Chairman Peterson, Ranking Member Goodlatte, and other Members of the Committee, my name is John Jurich, and I am the Investigator for the House Agriculture Committee. I have been employed by the Committee for the past 7 years as an investigator. Prior to that, I was an Investigator for the Office of Inspector General, U.S. Department of Agriculture, for 22 years. I am pleased to testify before you this morning about the review I performed on behalf of the Agriculture Committee this past year. The review examined the degree of coordination and cooperation between the Animal and Plant Health Inspection Service, APHIS, and the Customs and Border Protection staff, CBP, between APHIS' policy making and CBP's program implementation of the AQI function at ports of entry across the country.

The review also examined the effect of the split authorities on the performance of the agricultural mission. During the course of the review, I visited nine cities and 19 ports of entries on the East and West Coasts and at land border stations on both the Canadian and the Mexican borders. I formally interviewed over 250 APHIS

and CBP employees at these ports of entry, at district state and regional field units, and in headquarters offices in Riverdale, Maryland and Washington, D.C. I also examined performance and financial data provided by both agencies to confirm or to complement the oral statements from field and headquarters personnel.

As my formal report to the Committee this past April indicates, the results of the review are definitely mixed and often troubling. The effect of the transfer of the AQI function from the Department of Agriculture to Homeland Security has been both traumatic and quite polarizing, especially for the legacy agricultural field personnel. The transition itself from APHIS to CBP was rife with turmoil. The CPB agricultural inspectors lost their internal leadership, their professional status, much of their independence and authority, many of their managers and supervisors, considerable overtime, offices, cars, computers, desks, a career ladder, and contact with their former colleagues and technical resources in APHIS.

As a result of these negative factors, there was a consequent exodus of agricultural officers from CBP back to APHIS, to other agencies, and to retirement. As one legacy inspector said to me in the field, "the inspection staff voted with their feet on the effect of the changes upon the agricultural mission." A few examples of the initial problems the agricultural staff at the ports have faced over the past few years are instructive. At one location in the field the agricultural compactor, which was used to destroy wet products such as confiscated fruits and vegetables, broke down. When the agricultural supervisor asked CBP management for the equipment to be repaired or replaced, he was told there was no money in the budget to do so. He was instructed by management to use the facility's incinerator for such products.

He immediately objected to this order saying that such use would also harm the incinerator. However, his objection was ignored and he was told to follow orders. Within a few months the seals of the incinerator gave out too, and that piece of equipment was broken. Again, there was no money to repair or replace the incinerator. The staff from that area which included three ports of entry was obliged to transport all of their seized items to a port many miles distant for destruction at a time when they could not spare the officers. When this became too onerous for the staff, the port management hired a contractor to assume such a role. Eventually, CBP management realized how expensive the contractor was and finally, after nearly 2 years, replaced both pieces of equipment. What the agricultural staff told me at those ports of entry that this never would have occurred under APHIS. When something broke in APHIS, it was immediately repaired or replaced.

At another port of entry a microscope used by the staff at the airport wasn't used for years because the port officials simply refused to buy a replacement bulb. Similar complaints about the inability to obtain routine supplies and to replace broken equipment surfaced at many of the ports I visited. In a third port agricultural specialists were working out of the trunks of their cars because they didn't have sufficient desks and cabinetry in the warehouse to accommodate their equipment, their manuals, and other inspection materials. That warehouse was rather aptly called the "house of pain." It was dank, it was dark, and it was uncomfortable for the

staff. They simply didn't have accommodations to allow them to do their work correctly.

With respect to the interviews of field staff, many of the senior inspectors and supervisory staff at the ports of entry stated that coordination and cooperation between the two agencies, APHIS and CBP, was basically subordinated, was either nominal or non-existent, and that the agricultural mission at the ports of entry was basically subordinated to the agency's terrorist, illegal alien, and illicit drug concerns. A minority of the field inspectors held just the opposite view and stressed the positive accomplishments of the transfer of function for the agricultural mission. These accomplishments included improved cooperation between the agriculture specialist and CBP officers at the ports of entry, increased use of electronic technology in administrative and programmatic areas, better targeting capabilities, more discipline and greater staff accountability. The performance data like statements of field personnel is also somewhat contradictory in character. Many of the general performance results have suffered since CBP assumed full responsibility for the agricultural function at the start of Fiscal Year 2004.

The numbers of inspections, clearances, and violations trailed off in 2004, 2005, and 2006, in many major categories and pathways. This was most evident at the airports with dramatic reductions in the number of inspections, the number of interceptions, and the number of written violations involving both passengers and aircraft. There has been on the other hand an increase in the number of regulated cargo clearances and inspections and interceptions under CBP over the past 3 years. Overall interceptions when you look at all the pathways, both for cargo and for passengers, have declined. Animal products, plant pathogens, and pests have all gone down since the transfer of function from APHIS to CBP by 25 percent in pests, 21 percent in plant pathogens, and 11 percent in animal products. Overall violations also dropped off markedly by 43 percent.

Communication and coordination between APHIS and CBP staffs was also marked by contrasts. At headquarters levels in Riverdale and Washington, D.C., the leadership and the liaison staffs of the agencies worked well together. In the field there was generally similar cooperation between CBP staff, the ag specialists, at the ports of entry and the APHIS entomologists, plant pathologists, and safeguarding specialists at local PPQ inspection stations who carried out the identification of interceptions, the inspection of viable plant products, and the fumigation of infested commodities. There was, however, somewhat less success at the port level within the pest risk committees which were set up by CBP for the sole purpose of promoting interagency coordination and cooperation.

Some CBP ports were much more successful than others in establishing rapport with their local APHIS counterparts in the Plant Protection and Quarantine Division, Smuggling Interdiction and Trade Compliance units, Veterinary Services, and Investigations and Enforcement Service. They met regularly, discussed and resolved problems, provided physical access to ports, shared program information and intelligence, assessed risk and participated in joint blitzes or other cooperative activities. Other port committees served only in a perfunctory and formal manner as a forum to meet and

greet without any genuine collaboration between subordinate field units.

There was a fundamental conflict in the field between some APHIS policy mandates and CBP inspection practices and procedures. Such conflicts involved wood packing prohibitions, the conduct of AQIM surveys, the in bond transit of regulated products, and the release of cargo and passengers at the expense of inspections. There were also systemic changes in the organization of ports and the assignment of personnel into compartmentalized units and shifts by CBP that have left the actual inspection staff undermanned. The conflicts and changes cited upon have compromised both the quality and the quantity of AQI inspections in the field.

For example, at one border port I visited, two ag inspectors spent the bulk of their time on computers inputting data into CBP's ACE system and then sealing the trucks, while a single specialist scurried from bay to bay in the warehouse performing quick and cursory tailgate inspections of trucks laden with agricultural products. All three inspectors said this kind of inspection simply did not serve or protect American agriculture. It should be noted that this port of entry was a potential avenue for the entry of Mediterranean fruit flies from Mexico into Southern California. Finally, I asked all of the CBP ag personnel I interviewed what changes would improve the present AQI function at the ports of entry. Many simply said return the function to USDA. Others said basically to increase the number of ag inspectors and technicians at inspection points, near terminals, and at cargo examination sites, supply the budgetary resources to fund needed overtime, provide routine supplies and replace broken down equipment, give agriculture a position and a voice in management at the ports of entry that was sorely missed. There simply was not an agriculture person in the decision-making process at the ports of entry.

Fourth, promote the agricultural staff to the supervisory and chief levels rather than relying on legacy Customs and Immigration personnel to serve as first and second line supervisors, and finally provide a means for better communication and coordination between disparate agricultural elements both within and among CBP ports. They also ask for basically a much better means of communication and coordination with both APHIS elements in the field surrounding the ports and with state and with county health authorities. Thank you very much.

[The prepared statement of Mr. Jurich follows:]

PREPARED STATEMENT OF JOHN JURICH, INVESTIGATOR, COMMITTEE ON AGRICULTURE, U.S. HOUSE OF REPRESENTATIVES, WASHINGTON, D.C.

Subcommittee Chairman Cardoza, Ranking Member Neugebauer, and members of the subcommittee:

I am pleased to testify before you this morning about the review I performed on behalf of the Agriculture Committee this past year. The review examined the degree of coordination and cooperation between the Animal and Plant Health Inspection Service and Customs and Border Protection staffs, between APHIS' policy making and CBP's program implementation of Agricultural Quarantine Inspections at ports of entry across the country. The review also examined the effect of the split authorities on the performance of the agricultural mission.

During the course of the review I visited nine cities and nineteen ports of entry on the east and west coasts and at land border stations on both the Canadian and Mexico borders. I formally interviewed over two hundred and fifty APHIS and CBP

employees at these ports of entry; at district, state, and regional field units; and in headquarter offices in Riverdale, Maryland, and Washington, D.C. I also examined performance and financial data provided by both agencies to confirm or to complement statements from field and headquarters personnel.

As my formal report to the Committee this past April indicates, the results of the review are definitely mixed and often troubling. The effect of the transfer of the AQI function from the Department of Agriculture to Homeland Security has been both traumatic and quite polarizing, especially for the legacy agricultural field personnel. The transition itself from APHIS to CBP was rife with turmoil. The CBP agricultural inspectors lost their internal leadership, their professional status, much of their independence and authority, many of their managers and supervisors, overtime, offices, cars, computers, desks, a career ladder, and contact with their former colleagues in APHIS. As a result of these adverse factors, there was a consequent exodus of agricultural officers from CBP back to APHIS, to other agencies, and to retirement. As one legacy inspector said to me, the inspection staff voted with their feet on the effect of the changes upon the agricultural mission.

A few examples of the initial problems the agricultural staff at the ports have faced over the past few years are instructive. At one location the agricultural compactor, which was used to destroy wet products such as confiscated fruits and vegetables, broke down. When the agricultural supervisor asked CBP management for the equipment to be repaired or replaced, he was told that there was no money in the budget to do so. He was instructed to use the facility's incinerator for such products. He immediately objected to this order saying that such use would also harm the incinerator which was used for destroying dry goods, not wet products. However, he was ordered to do so. Within a few months the seals of the incinerator gave out too. Again, there was no money to repair or replace the incinerator. The staff then from three ports in the immediate area was obliged to transport all of their seized items to a port many miles away for destruction at a time when they could spare few officers. When this became too onerous for the staff, the port management hired a contractor to assume such a role. Eventually, management realized how expensive the contractor was and finally, after nearly 2 years, replaced both pieces of equipment. The agricultural staff was adamant that such conduct would never have occurred under APHIS management.

At another port, a microscope went unused for years because the port officials simply refused to buy a replacement bulb. Similar complaints about the inability to obtain routine supplies and to replace broken equipment surfaced at many of the ports I visited. In a third port, agricultural specialists were working out of the trunks of their cars because did not have sufficient desks and cabinetry in a warehouse to accommodate their equipment, manuals, and other inspection materials. The warehouse was aptly called "the house of pain."

With respect to the interviews of field staff, many of the senior inspectors and supervisory staff at the ports of entry stated that coordination and cooperation between the two agencies was either nominal or non-existent and that the agricultural mission at the ports of entry was basically subordinated to the agency's terrorist, illegal alien and illicit drug concerns. A minority of the field inspectors held just the opposite view and stressed the positive accomplishments of the transfer of function for the agricultural mission. These accomplishments included improved cooperation between agricultural specialists and CBP officers at the ports of entry, increased use of electronic technology in administrative and programmatic areas, better targeting capabilities, more discipline and greater staff accountability.

The performance data, like statements of field personnel, is also somewhat contradictory in character. Many of the general performance results have suffered since CBP assumed full responsibility for the agricultural function at the start of Fiscal Year 2004. The numbers of inspections, clearances, and violations tailed off in FY 2004, FY 2005, and FY 2006 in many major categories and pathways. This was most evident at the airports with dramatic reductions in the number of inspections, interceptions, and written violations involving both passengers and aircraft. There has been, on the other hand, an increase in the number of regulated cargo clearances, inspections, and interceptions under CBP over the past 3 years. Overall interceptions—the animal products, plant pathogens, and pests that have been confiscated at the ports of entry—have declined since the transfer of function from APHIS to CBP—by 25% in pests, 21% in plant pathogens, and 11% in animal products. Overall violations also dropped off markedly by 43%.

Communication and coordination between APHIS and CBP staffs was also marked by contrasts. At headquarters levels in Riverdale and Washington, D.C., the leadership and liaison staffs of the agencies worked well together. In the field there was generally similar cooperation between CBP staff at the ports of entry and the APHIS entomologists, plant pathologists, and safeguarding specialists at local PPQ

inspection stations who carried out the identification of interceptions, the inspection of viable plant products, and the fumigation of infested commodities.

There was, however, somewhat less success at the port level within the pest risk committees which were set up for the sole purpose of promoting inter-agency coordination and cooperation. Some CBP ports were much more successful than others in establishing rapport with their local APHIS counterparts in Plant Protection and Quarantine; Smuggling Interdiction and Trade Compliance; Veterinary Services, and Investigations and Enforcement Service. They met regularly; discussed and resolved problems; provided physical access; shared program information and intelligence; assessed risk; and participated in joint blitzes or other cooperative activities. Other port committees served only in a perfunctory manner, as a forum to meet and greet without any genuine collaboration between subordinate field units.

There was a fundamental conflict in the field between some APHIS policy mandates and CBP inspection practices and procedures. Such conflicts involved wood packing prohibitions; the conduct of AQIM surveys; the "in bond" transit of regulated products; and the release of cargo and passengers at the expense of inspections. There were also systemic changes in the organization of ports and the assignment of personnel into compartmentalized units and shifts by CBP that have left the actual inspection staff undermanned. The conflicts and changes cited above have compromised both the quality and the quantity of AQI inspections in the field.

At one border port I visited two agricultural inspectors spent the bulk of their time on computers inputting data into CBP's ACE system and then sealing trucks, while a single specialist scurried from bay to bay in the warehouse performing quick and cursory tailgate inspections of trucks laden with agricultural products. All three inspectors said that this kind of inspection simply did not protect American agriculture. It should be noted that this port of entry was a potential avenue for the entry of Mediterranean fruit flies from Mexico into Southern California.

Finally, I asked all of the CBP agricultural personnel I interviewed what changes would improve the present AQI function at the ports of entry. Among their principal recommendations were the following: (1) increasing the numbers of agricultural inspectors and technicians at inspection points in air terminals and at cargo examination sites; (2) supplying the budgetary resources to fund needed overtime, provide routine supplies, and replace broken down equipment; (3) giving agriculture a position and a voice in management at the port level; (4) promoting agricultural staff to the supervisory and chief levels rather than relying on legacy customs and immigration personnel to serve as their first and second line supervisors; and finally (5) providing a means for better communications and coordination between disparate agricultural elements both within and between CBP ports.

I would ask that my report and the accompanying transmittal memorandum be made a permanent part of the record of the Subcommittee hearing.

Thank you,

JOHN JURICH,
Investigator,
House Agriculture Committee.

ATTACHMENT 1

U.S. House of Representatives
Committee on Agriculture
Washington, D.C. 20515
April 7, 2007

MEMORANDUM

TO: Collin Peterson, Chairman, Committee on Agriculture
Bob Goodlatte, Ranking Member, Committee on Agriculture

THRU: Rob Larew, Democratic Staff Director
Bill O'Conner, Republican Staff Director

FROM: John Jurich, Investigator

SUBJECT: Investigative Report on the Coordination of Agricultural Inspection Functions by the Animal and Plant Health Inspection Service, USDA, and the Customs and Border Protection, DHS

Attached is a copy of an investigative report following the completion of a staff inquiry into the joint activities of the Animal and Plant Health Inspection Service (APHIS), U.S. Department of Agriculture (USDA), and the Customs and Border Protection (CBP), U.S. Department of Homeland Security (DHS). The inquiry focused on the degree of coordination between APHIS policy making and CBP program implementation for the agriculture inspection function at ports of entry throughout the United States. It also examined the effects of the split authorities on the actual conduct of agricultural inspections of passengers and products at ports of entry in the field.

The review entailed interviews of both APHIS and CBP staff at headquarters offices in Riverdale, Maryland, and Washington, D.C., and at subordinate offices in nine cities and nineteen ports of entry in the field. I interviewed over two hundred and fifty APHIS and CBP managers, supervisors, and officers. More than one-half of these interviews were of CBP staff, mainly agricultural specialists, supervisors, and managers in the field who are actively engaged in various aspects of the inspection process at airports, seaports, and land border stations. The review also involved the analysis of program data and financial information provided by APHIS and CBP staff to complement and confirm oral statements provided by headquarters and field staff.

The results of the inquiry are decidedly mixed and difficult to summarize. Ports differed markedly one from another, as did personnel interviews. Both APHIS and CBP field staff, and to a lesser degree headquarters staff, were either decidedly in favor of, or hostile to, the transfer of function. Such attitudes deeply colored their remarks on the degree of coordination and cooperation between the two agencies and on the effects of the transfer of function on the inspection process itself.

Many of the staff, indeed a majority of the legacy agriculture personnel I interviewed with many years of field experience, spoke of the transfer as a kind of "hostile takeover," of coordination between the two agencies as simply nominal or non-existent, and of the result as a complete devaluation of the agriculture mission in the field. However, others spoke of the transfer as a positive step forward for the agricultural mission with much greater professionalism and accountability, a sharper focus on specific safeguarding duties, better access to information technology, increased targeting capabilities, and the imposition of much needed discipline. Some even managed to cite elements of both points of view in single interviews.

The analysis of the programmatic and performance data was almost as conflicting as the statements in interviews. Major performance measures, the numbers of inspections and interceptions, declined in 2004, 2005, and 2006 in many significant pathways. The impact was most severe at the airport terminals where inspections, interceptions, and violations show the most marked declines. The impact in the cargo area was more mixed with an increase in regulated cargo inspections, clearances, and pest interceptions, and a corresponding decline in miscellaneous cargo inspections and clearances. Overall quarantine material interceptions of pests, animal products, and plant products also declined.

There are several reasons for such equivocal results: the turmoil inherent in the consolidation of staffs from three separate agencies; the integration of personnel with very different backgrounds and skill sets; the division of equipment and space; systems incompatibilities; and other administrative hurdles. The decline in many core performance measures, the number of inspections and quarantine material interceptions, reflects the impact of adverse changes that followed rather quickly upon the transition. The increase in regulated cargo clearances, inspections, and pest interceptions probably reflects the agency's recognition of the threat posed by cargo pathways and the consequent assignment of its more seasoned agricultural staff to manifest review, targeting, and inspection sites.

Adverse changes over the first three years include the exodus of many agricultural specialists and supervisors from CBP; the lack of adequate numbers of replacements; the transfer of the legacy agricultural leadership out of positions of line authority; the installment in their place of legacy customs or immigration managers and supervisors unfamiliar with the inspection process or the science that supports it; the resultant contretemps with agricultural staff struggling, often futilely, to explain to non-agricultural supervisors and managers why they did things the way they did and why the CBP way would not necessarily work well in the agricultural area; and the severance of many forms of communications with APHIS staff and other partner agencies. They also reflect the loss of many perquisites that officers enjoyed under APHIS including a wide degree of autonomy and independence, as much overtime as they wanted, and ready access to ample office space, desks, cabinetry, supplies, and equipment.

Many other changes, although not in and of themselves adverse, differed from the accustomed norms and proved difficult for many of the legacy agricultural staff:

scheduling changes, compartmentalization of work assignments, loss of rotations, learning new computer systems, and adherence to a strict chain of command to mention but a few. Some agricultural officers resented the effect of the legislation itself, the creation of the Department of Homeland Security, the attendant loss of the parent organization, APHIS, with its abundance of technical resources and opportunities for professional advancement, and the subordination of the agriculture mission to the fight against terrorism and weapons of mass destruction. Others did not appreciate the addition of legacy customs and immigration duties such as looking out for illegal aliens, illicit drugs and alcohol, currency violations, or intellectual property rights items during the inspection process. All of these factors stressed significantly both the agricultural mission and the agricultural specialists who were engaged in the inspection process. Morale generally plummeted and the work suffered significantly the first few years of the merger.

However, many of the personnel I interviewed, both critics and partisans of the change, acknowledged that there have been decided improvements over the past year and a half at the ports of entry for the agricultural specialists and the agricultural mission. Staffing has finally increased, although not nearly in the numbers needed. Performance data, too, has shown some improvement. Coordination at the headquarters level has always been high, buttressed by regular contacts between senior executive staff and strong personal relations among CBP's Agricultural Policy and Liaison staff and APHIS' Quarantine Policy and Analysis Staff. Coordination at field levels still varies widely from port to port. At a few ports such as Miami and Long Beach, cooperation was excellent between APHIS and CBP personnel. At other ports there were still various barriers to communication and subsequently less cooperation between APHIS field units and CBP port authorities.

There remain many challenges for both APHIS and CBP in coordinating policy requirements with inspection procedures in the field. Primary among the challenges is redressing the manpower shortages that severely affect the ability of CBP staff to provide adequate inspection coverage to major sea, air, and land pathways. In many of the ports I visited the numbers of inspection personnel, those actually looking at fruits, vegetables, flowers, herbs, meat products, and packing materials for pests, prohibited products, and plant diseases, were simply inadequate for the tasks at hand. This has occurred even though CBP has filled all of the early vacancies and increased the number of agricultural staff at the ports of entry. An explanation for this anomaly is given in the attached report.

Additional challenges include improving feedback mechanisms from field levels to managers and policy makers. CBP's chain of command works well in tasking from the top to the bottom, but it seems also to frustrate communications in the opposite direction. A simple example of this was field managers' general assumption that low morale among their agricultural staff was due to the loss of overtime which had been doled out in lavish amounts by APHIS prior to the transfer of function. Although mentioned now and then by agricultural staff, the primary reason for the discontent was their inability under CBP procedures, staffing, and supervision to perform their safeguarding mission. CBP

managers invariably told me that they supported the agricultural mission in their districts and ports. The specialists stated, not quite as often, just the reverse.

The Committee inquiry began with an eventual hearing in mind. Therefore, I have attached to this memorandum not only the report but also a list of APHIS and CBP officials, of the leadership in Washington and of personnel in the field, who I believe would make good witnesses. The list includes their titles and general duties with APHIS or CBP.

POTENTIAL WITNESS LIST

Headquarters Leadership

1. W. Ralph Basham, Commissioner, U.S. Customs and Border Protection, DHS – agency head

2. Dr. Ron DeHaven, Administrator, Animal and Plant Health Inspection Service, USDA – agency head

3. Jayson P. Ahern, Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, DHS – in charge of 19,000 field inspectors, including the agricultural specialists

4. Richard L. Dunkle, Deputy Administrator, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, USDA – in charge of plant protection headquarters units and field staff

Headquarters Liaisons

1. Jeffrey J. Grode, Executive Director, Agricultural Policy and Liaison, U.S. Customs and Border Protection, DHS – the primary CBP liaison with APHIS at the headquarters level and a former special assistant to the administrator of APHIS

2. William Thomas, Director, Quarantine Policy and Analysis Staff, Plant Protection and Quarantine, Animal and Plant Health Inspection Service, USDA - the primary APHIS liaison with CBP at the headquarters level

Field Office Officials

1. Pete Mayea, CBP Chief , Cargo Operations, Miami, FL, U.S. Customs and Border Protection, DHS – in charge of agricultural air cargo and express mail operations at Miami Airport who can give a CBP perspective on APHIS staff and absorption into CBP's structure and culture, a chief praised by both APHIS and CBP staff for agricultural knowledge and leadership abilities.

2. Mike Wright, Assistant Director, Trade Operations, District Field Office, Miami, FL, U.S. Customs and Border Protection, DHS – former APHIS Port Director for Miami, now an Assistant Director for Trade Operations in Miami district field office.

3. David G. Talpas, Assistant Director, Agriculture Policy & Planning, District Field Office, San Francisco, CA, U.S. Customs and Border Protection, DHS – former APHIS Port Director for San Francisco, now an agricultural program advisor to the District Field Director in San Francisco.

4. Lisa Krekorian, Agricultural Supervisor and Acting Agricultural Chief, Air Passenger Operation, International Airport, San Francisco, CA, U.S. Customs and Border Protection, DHS – knowledgeable about air passenger operations, also a former canine officer

5. Hal S. Fingerman, Agricultural Chief, Philadelphia, PA, and Acting Agricultural Liaison for the District Field Office in Baltimore, MD, U.S. Customs and Border Protection, DHS – former port director for Philadelphia, now in charge of all agricultural operations at the airport and seaport in Philadelphia and a temporary advisor to District Field Director in Baltimore.

6. Terry London, Agricultural Chief, Long Beach, CA, U.S. Customs and Border Protection, DHS – responsible for agricultural cargo inspections for the busiest container port in the country. She was also a supervisor at the land border station in San Ysidro, CA

ATTACHMENT 2

U.S. House of Representatives
Committee on Agriculture
Washington, D.C. 20515

April 7, 2007

MEMORANDUM REPORT

Scope

This inquiry was conducted to review the joint activities of the Animal and Plant Health Inspection Service (APHIS), U.S. Department of Agriculture (USDA), and the Customs and Border Protection (CBP), U.S. Department of Homeland Security (DHS) in coordinating policy making and program implementation of the agriculture inspection function at ports of entry throughout the United States. The staff inquiry supplements in many ways recent reports by the General Accounting Office (GAO) and the USDA and DHS Offices of Inspector General (OIG) on various aspects of this agricultural inspection function. Our inquiry focused on the degree of cooperation and coordination between the two agencies, both at headquarters and field office levels, and on the effect of the split authorities on the conduct of the agricultural inspections at the ports of entry.

Methodology

The inquiry involved visits to nine port cities: Baltimore, Philadelphia, Miami, New York, Detroit, San Francisco, Los Angeles, Long Beach, and San Diego for interviews of APHIS and CBP field staff, as well as interviews of APHIS and CBP program staff at headquarters offices in Washington, D.C., and Riverdale, Maryland. I tried to visit major airports ands seaports, as well as busy land border stations adjoining both Canada and Mexico, to get a sense of how APHIS policy and CBP procedure interacted at the larger ports of entry into this country.

The field work encompassed interviews of one hundred and thirty CBP agricultural chiefs, supervisors, specialists, and technicians who worked at eight airports, seven seaports, and four land borders stations in or near the aforementioned cities. I also interviewed twenty-one CBP managers, supervisors, and agriculture liaisons assigned to district field offices or ports of entry. These included directors of field offices, port directors, assistant port directors, program managers, chiefs, first line supervisors, and operations officers. Finally, I interviewed an additional thirty-five CBP agriculture staff who between 2003 and 2006 returned to USDA, both to Riverdale and to offices in the field. These returnees were primarily agriculture specialists from field locations. Their duty stations while in CBP were the Detroit land border; San Francisco airport; Wilmington seaport; Buffalo land border; Philadelphia airport and seaport; Trenton airport; Anchorage airport; Blaine land border; Orlando airport; Oakland airport and seaport; Miami airport and seaport; New York airport, and Bangor airport.

The field interviews of CBP agricultural staff were for the most part a selected sample. I first contacted legacy agricultural staff, who had worked for CBP at the ports I intended

to visit and then returned to APHIS. I also contacted APHIS officials presently working close to these ports in nearby field units. I asked all of these contacts to provide me with a list of names of those CBP senior agriculture specialists, supervisors and managers who in their opinions had the highest professional reputations for doing good work. I asked in particular for the names of CBP agriculture specialists who were known for conducting thorough inspections and finding significant numbers of interceptions. I next provided the names of the officers I was given to CBP liaisons at each district field offices along with a request for additional interviews with port managers having oversight of agricultural functions, a few recent graduates from the new officer training academy in Frederick, Maryland, and at least one dog handler. The selection of these latter CBP personnel was made by the liaisons and port officials.

In addition to the field interviews of CBP staff, I visited as many of the APHIS State Plant Health Director (SPHD) offices and Plant Inspection Stations (PIS) as time and location permitted for interviews of APHIS field personnel. I interviewed state plant health directors from New Jersey, Florida, Michigan, and California; a variety of PIS personnel including officers-in-charge, veterinary regulatory officers, entomologists, botanists, and safeguarding officers from Miami, South San Francisco, Detroit, Los Angeles, and San Diego; and several managers, supervisors, and field investigators from Smuggling Interdiction and Trade Compliance (SITC) and Investigations and Enforcement Services (IES) assigned to locations in regional offices and in the field.

To complement the interviews of CBP and APHIS field personnel, I met with many of the headquarters cadre of managers and support staff working in CBP's Agriculture Policy and Liaison (APL) office in Washington and APHIS' Quarantine Policy and Analysis Staff (QPAS) in Riverdale. Both staffs act as the primary interface between CBP's Office of Field Operations and APHIS' Plant Protection and Quarantine at the headquarters level.

Finally, I spoke with various stakeholders from the National Association of State Departments of Agriculture, the Florida Department of Agriculture and Consumer Services, the New York State Department of Agriculture & Markets, the North Carolina Department of Agriculture & Consumer Services, the California Department of Food and Agriculture, the National Plant Board, and the Floral Importers of Florida, to obtain their perspective on the transfer of function.

It should be noted that the interviews were conducted in private with the assurance that the information would be considered confidential and that statements would not be attributed by name in a report to the committee. It should also be noted that both agencies, CBP and APHIS, were wholly responsive to the committee's review and my requests. All of the personnel I asked to speak to were made available with only a handful of exceptions. The few whom I did not interview were either on leave or extended assignments elsewhere. Both agencies provided accommodations that ensured privacy. CBP and APHIS personnel, both the liaison staff who assisted in arranging the field visits and the employees whom I interviewed, were extremely courteous, accommodating, insightful, and in my opinion absolutely forthright. I am appreciative of

their thoughtfulness, help, and candor. I also applaud the dedication of both APHIS and CBP staffs who carry out the agricultural safeguarding mission.

The interviews of field and headquarters staffs were augmented by an analysis of program and financial data provided by both APHIS and CBP. These included fiscal year summaries of APHIS' Work Activity Data (WADS); Agriculture Quarantine Inspection Monitoring (AQIM); and Pest Interceptions (PIN 309), as well as summaries of CBP's financial and program activity data.

Merger Background

The immediate effects of the transfer of function in 2003 were very challenging for CBP and the legacy agricultural staff. A brief chronology of the change will explain why. First of all, APHIS retained a substantial number of port personnel to carry out a limited number of retained port responsibilities, basically the inspection of live plants, the identification of pests and quarantine materials intercepted at the ports of entry, the fumigation of infested commodities, and safeguarding. The retention left many of the CBP ports with a shortage of officers from the very beginning of the transfer of function in May of 2003. Of the 2,655 positions agriculture positions transferred to CBP by APHIS, 387 slots were vacant. 317 of these vacancies were in the PPQ officer series, approximately twelve percent of the agricultural inspection staff. One legacy agricultural port director stated that she was left without a single officer to conduct inspections at her east coast seaport shortly after the transfer date. Another legacy agricultural technician, a part time employee, stated in similar fashion that he was left at his northern airport for almost two years without an agricultural inspector within fifty miles of his port. Such vacancies severely affected the ability of CBP to perform the agricultural mission in full from the onset of the merger.

Secondly, the absorption of the remaining PPQ officers into CBP's structure and culture about the start of FY2004 was traumatic. The merger resulted in legacy agricultural staff losing offices, cars, computers, professional status, and a like leadership. Not a single APHIS manager at the ports I visited was selected as a port director or assistant port director within the CBP structure when permanent managers were selected in late 2003. Many of the agricultural port directors and some supervisors were gradually shifted from line authority over agricultural staff to basically consultative positions or given administrative functions. Many of these agricultural officials were replaced by managers, chiefs, and supervisors from either legacy customs or legacy immigration agencies with supervisory authority over agricultural staff. Many of the specialists at this time also lost their offices, individual desks, and cabinets. In addition, basic equipment and supply needs in many ports went unfulfilled for substantial periods of time.

More importantly than the loss of space and the absence of supplies, the agricultural line officers also lost a large degree of autonomy and authority. The cultural chasm between the two agencies was and still is immense. The basic tools of the APHIS PPQ officer were a buck knife, a hand lens, and a microscope. The tools of the CBP officer are a badge and gun. APHIS, as its tools suggest, is a scientific and regulatory agency. It has a

collegial culture that operates to a great degree by inclusion and consensus. The PPQ officer was generally a trusted member of the collegial staff. The officer usually possessed a scientific degree, or multiple degrees, and was empowered by management to make regulatory decisions alone in the field. Supervision was often at a minimum. Within the officer's discretion was not only the authority to select, inspect, and regulate both people and products transiting through the ports of entry, but also the freedom to contact, either locally, regionally, or nationally, animal and plant subject matter experts when confronted with a regulatory problem or question. The officers also had the authority to call colleagues in SITC, IES, and Veterinary Services as well as officials in partner agencies when the occasion required such contact. A PPQ officer in the field calling a peer or contacting a higher level official in the state plant health director's office, a regional office, or in Washington, D.C., was not uncommon. Policy decisions, both at state, regional, and national levels, were made generally with input from port officials which included local inspection staff and representatives of the employee's union.

In contrast, CBP is primarily an enforcement agency with a paramilitary structure, a strict chain of command, an emphasis on rank and grade, and an insistence on discipline and obedience from the rank and file officers. It operates in many respects by exclusion on a need to know basis. Decisions are made by managers with much less input from rank and file staff. The CBP agricultural specialist is tasked with responsibilities by his superiors and expected to obey. If he has a regulatory question or concern, his basic recourse apart from the manuals is his supervisor, a GS-12. To leap over a supervisor to talk with a chief, a GS-13, or a higher grade was considered a breech of this command structure. A call to an outside agency such as APHIS for information or advice was sanctioned in many ports only by the express approval of a supervisor or chief.

Many of these supervisors and chiefs as a result of the transfer of function and subsequent departures were legacy customs and immigration officers whose immediate knowledge and understanding of the agricultural function was either limited or nil. This fact led in many ports to a good deal of misunderstandings and conflict between CBP first and second line supervisors and legacy agriculture staff. From the perspective of the supervisors and chiefs difficulties arose from the reluctance or outright refusal of legacy agriculture staff to accept orders and embrace change; from the perspective of agriculture staff the strife was occasioned by a lack of concern by management for the agricultural mission and for the adverse effect many of the changes were having on their safeguarding mission.

As a result of these differences, the two years following the merger, 2004 and 2005, saw an exodus of legacy agriculture staff, both officers and technicians, from CBP. Many returned to APHIS, several jumped to other agencies, some opted for retirement, and others simply quit their jobs. The agency lost approximately one-hundred and thirty specialists over the first few years to APHIS alone. Some CBP officials termed the APHIS selection of their specialists and supervisors in the field "cherry picking." The term is appropriate for almost every senior CBP agriculture specialist I interviewed stated in so many words that the best and the brightest had left the agency. CBP, itself, was

slow to respond to increasing shortages of agriculture inspection staff. The hiring and training of replacements, once begun, was a lengthy and time consuming process. The New Officer Training Center in Frederick, Maryland, graduated only three classes of 83 agriculture specialists in FY2004 and approximately 190 specialists from classes which started in FY2005. The departures and lack of replacements stressed even further an already depleted staff.

Staffing at many of the ports I visited was also affected by additional structural differences between the two agencies. Single ports under the APHIS field command were, or became, multiple ports under the CBP structure. Agricultural staff from one port was no longer available to work routinely at a companion port. This difference weakened the ability of agricultural staff to provide adequate coverage to both major and minor pathways and adversely affected the conduct of inspections and the capture of interceptions. Many of the major CBP ports also chose to spread agricultural staff out onto various shifts as a way of responding to industry and inspection needs. Some of the ports went to a twenty-four hour a day and seven day a week schedule. Others went to a variety of hourly and daily schedules. This was done at times with an already threadbare staff. Overtime, which was used lavishly by APHIS to inspect people and products outside of core hours, was gradually reduced for agriculture staff. Many of the larger CBP ports also compartmentalized duties according to customs practices. Agricultural personnel were incorporated into various work units with other CBP personnel. The net effect of the broader scheduling and the compartmentalization was to further dilute the number of staff available for their primary task, that of inspections.

In fairness to CBP, the merger was also hampered by a number of weaknesses and failures in APHIS' managerial and officer ranks. Port management was generally lax and subordinate staff was to some degree undisciplined. Managers and supervisors tended to ignore or tolerate problems in conduct and performance. Slovenly dress and appearance, idleness, absences, and even drug or alcohol abuse by subordinate staff were often neither promptly nor properly addressed. These kinds of problems plus the lavish amounts of overtime offered to the rank and file officers served as disincentives for many of the senior PPQ officers to opt into supervisory and managerial ranks. In contrast, many of the legacy agricultural specialist supervisors I spoke to over the past year praised CBP for demanding a much stricter accountability from its staff, for imposing discipline, and for providing a broad array of administrative support to them in dealing with such abuses.

The net effect of many of the above changes in carrying out the agriculture mission under CBP was a decrease in a number of overall performance statistics in 2004 and 2005. The following categories declined: total ships inspected; total aircraft inspected; total reportable pests; total miscellaneous cargo clearances; total miscellaneous cargo inspections; total violations issued; and total plant material interceptions. The most severe decreases occurred in aircraft inspections, reportable pest interceptions, miscellaneous cargo clearances, and violations. A secondary effect was a precipitous decline in morale among legacy agricultural staff.

GAO and OIG Reports

GAO, USDA OIG, and DHS OIG have reviewed the effects of the transfer of function from APHIS to CBP upon the agriculture inspection component at the ports of entry. USDA OIG issued the first report in March of 2005 entitled "Transition and Coordination of Inspection Activities between USDA and DHS." GAO next issued two reports in May and November of 2006 entitled "Management and Coordination Problems Increase the Vulnerability of U.S. Agriculture to Foreign Pests and Disease" and "Homeland Security: Agriculture Specialists' Views of Their Work Experience After Transfer to DHS." Finally, DHS OIG and USDA OIG issued a joint report in February of 2007 entitled "Review of Customs and Border Protection's Agricultural Inspection Activities."

The first report by USDA OIG in 2005 focused on APHIS and CBP implementation of processes and procedures to ensure the timely and effective coordination of inspection activities. The report concluded that APHIS needed to improve its coordination with CBP to ensure that proper safeguards were implemented and that APHIS personnel had access to all information needed to verify that U.S. Agriculture was being protected. The review noted problems with the timely implementation of specific protocols as to their respective responsibilities, with inadequate risk assessments, with significant reductions in pest interceptions, with access to ports, with the performance of joint port reviews, and with cost data. The report recommended *inter alii* that the agencies develop a process to resolve material issues at higher levels of the agencies. It also noted that OIG would be following up its review with a joint audit with the DHS at specific port locations since the initial review did not encompass site visits to any ports of entry.

GAO conducted its review of CBP's agricultural inspection function in 2006 which did include visits to a number of ports of entry and a subsequent survey of CBP field personnel. In its first report in May, GAO praised the agency for its training and targeting initiatives, for developing a process to assess how agricultural specialists were implementing policy, and for establishing agricultural liaison positions in each of its district offices. GAO also noted, however, that CBP faced continuing management and coordination problems that increased the vulnerability of U.S. agriculture to foreign pests and disease. Specifically, the agency did not focus on a number of key pathways such as commercial aircraft, vessels, and truck cargo. It also did not have a risk based staffing model to ensure that adequate numbers of specialists were staffed in areas of greatest vulnerability. Finally, GAO noted problems in information sharing, in the proficiency of canine teams, and in the transfer and accountability of user fees.

In its second report in November of 2006, GAO reviewed the narrative responses to its survey of CBP agricultural specialists to identify common themes and their relative percentages among the survey respondents. GAO noted that there was a four fold increase in the number of pages of narratives about what needed to be changed or improved compared to what was being done well. On the negative side, approximately sixty percent of the specialists who responded to the survey indicated they were performing fewer inspections and making fewer interceptions. Similarly, about sixty

percent stated that CBP management did not respect their work. Approximately thirty percent of the specialists expressed concerns about working relationships with CBP officers and managers who did not view that agricultural mission as important as anti-terrorism or anti-narcotics activities; about the lack of priority as evidenced by a decline in inspections of flights and cargo due to staffing shortages and scheduling decisions; and about the impedance of timely actions due to a lack of agricultural managers and a rigid chain of command structure. The second most frequent response in the survey to the positive question, "What is going well?" was the negative response, "Nothing is going well."

On the reverse side, about twenty percent of the agricultural specialists stated that the working relationship with CBP officers was positive including increased respect and interest in the agricultural side of the work. Ten percent stated that salary and benefits were better. Lastly, six percent were generally satisfied with their jobs and working relationships with CBP officers and managers. GAO concluded that such results were indicative of morale issues among the agricultural specialists.

The most recent report on the agricultural inspection function at the ports of entry was issued by DHS OIG and USDA OIG in February of 2007. The joint audit focused on transition issues and problems previously identified in USDA OIG's earlier audit report. The joint report concluded that CBP generally conducted agricultural activities in compliance with procedures at the ports the audit team visited. However, improvements were needed to ensure that Agricultural Quarantine Monitoring (AQIM) sampling, staffing, and performance measures were adequate. The sampling at four ports did not meet policy requirements for thirteen of eighteen pathways; while the agency needed a current staffing model and performance measures for agricultural specialists to ensure the most effective use of personnel. The audit report also noted deficiencies in cut flower inspections and in the application and documentation of Work Accomplishment Data System (WADS) activity codes. The report contained ten recommendations for CBP and three for APHIS. All of the CBP recommendations have been resolved by the agency. Two of the APHIS recommendations are pending decisions by agency management. The third awaits the submission of implementation dates for closure.

Present Policy Making and Program Implementation

That the normal dynamic between policy making and the management and conduct of inspections in the field has been complicated by the transfer of function is without dispute. Two agencies now govern the process, agencies located in separate departments under different management structures with dislike cultures, organizational paradigms, and work practices and procedures. The obvious impact is simply delay: policy, once drafted by policy makers, is now vetted through two agencies instead of one. Policy officials, program coordinators, liaisons, legal staff, and managers from two agencies now may be charged to read, review, and amend the drafts prior to issuance. The approval and issuance process simply takes longer than before, especially when there are differences of opinion on the degree of necessary change in a new policy, its impact upon trade, or the effect the new policy will have on personnel and procedures at the ports of

entry. The liaison staffs at CBP and APHIS each tended to fault the other on occasion for causing undue delays in the issuance of new policy. I assumed the process itself, not the participants, was the main culprit.

The normal feedback mechanisms between field staff and policy makers have also been disrupted. Security clearances, proprietary concerns, systems incompatibility, and the chain of command hinder to some degree the free flow of information back to APHIS policy makers. The policy makers simply do not have quick and ready access to field managers and to subordinate staff to see how a policy is working or what problems need corrective actions. APHIS headquarters staff stated that they feared they were basically making policy in a void. Some of the inspection problems detailed in this report lend credence to this fear, especially in instances where APHIS policy dictates and CBP port procedures clash.

The dissemination of policy to the field in CBP as noted earlier by GAO continues to be somewhat problematic. The chain of command requires the passing of information from headquarters, through the district field offices, to the ports of entry. Within each layer is another hierarchy of officials, district field director, assistant field director for trade operations, agricultural liaison, port director, assistant port director for trade, program manager, chiefs, supervisors, and finally agricultural specialists. Policy changes, alerts, lookouts, manual changes, and other information are generally passed from one level to another, unless districts or port managers have authorized a different form of delivery. According to APL staff most of the alerts submitted by APHIS to APL were processed and sent out to the field either the same day they were received or a day later, unless a week end intervened. Likewise both field office and port officials stated that they forwarded policy guidance and alerts quickly down the chain of command usually via their e-mail system.

However, many of the field specialists stated that they did not receive the policy directives or alerts that quickly or sometimes at all. The specialists were generally aware of major policy changes such as the regulations governing solid wood packing material or the recent restrictions on importation of beef products from Canada. They were also aware of the many alerts on avian influenza that traced the gradual spread of the disease from Asia, to Europe, and into Africa. But they were also ignorant of many other less newsworthy alerts that had been forwarded lately to CBP by APHIS staff. Many CBP specialists mentioned that they were the last party to receive alerts or other changes. They learned about them earlier either from reading the newspaper, surfing the web, or by conversing with brokers and other industry representatives.

In some instances, CBP agriculture supervisors at the ports of entry had folders or computer directories with numerous alerts that they had distributed either orally or via Lotus Notes to subordinate staff. Yet, when asked, their subordinate specialists barely recalled one or two. It was difficult to say whether the problem was the staff's inattention to e-mails and muster information, retention, or the press of other work. One specialist stated that he was so inundated with terrorism and drug alerts in his e-mail

directory that he generally ignored reading alerts at all. His attitude may well be indicative of many of his peers.

Many of the senior agriculture specialists I interviewed stated that the number of agriculture alerts and policy directives received via the CBP chain of command was considerably less than those that had been distributed in shotgun style directly to them by APHIS headquarters prior to the merger. The same was true of manual changes with one significant exception. Many of the specialists still received by e-mail each and every manual change issued by the manual division in Riverdale directly from John Patterson, the APHIS division director. These specialists stated that this method insured that the change was noted immediately, not later when the specialist had the time or need to consult the manuals on the internet. However, many others depended solely on recourse to the electronic manuals to become aware of a recent change in inspection procedures.

Other complications occur in the field where APHIS policy and CBP inspection practices and procedures intersect. For instance, recent changes in the restrictions on the entry of unmarked solid wood packing material were ignored at a few of the ports I visited. I was informed by the agriculture specialists that APHIS protocols now called for an entire shipment of products to be returned to the foreign port of origin if <u>any</u> of the pallets lack requisite markings indicating that they had been treated for wood boring pests. This policy was not being unilaterally enforced at all ports. Specialists were being told to allow brokers or consignees to manipulate shipments, in other words to separate the marked from the unmarked pallets and allow the marked pallets entry. Only the unmarked pallets were refused entry. According to the inspectors, this was a violation of present policy and a safeguarding risk. It was done according to the inspectors at the insistence of port managers, chiefs, or supervisors to accommodate the industry and to facilitate trade.

Another example of such conflict is the performance of AQIM cargo inspections at certain ports of entry. AQIM monitoring is a statistical sampling methodology that ascertains the approach rate of prohibited pests and diseases. AQIM sampling of cargo is governed by strict protocols including hypergeometric tables which mandate how many boxes of a particular commodity and shipment needs to be inspected. Again, at a number of ports I was informed by agriculture specialists that their CBP inspection schedule, which mandated one inspection per hour, was inadequate at times to perform the AQIM sampling per the policy protocols. This was especially true in inspections of products with multiple bills of lading and large numbers of specimens in single shipments. In these instances the inspectors were sampling at best half of the required boxes of fruit, vegetables, or herbs simply to keep up with their inspection schedules. The AQIM reports were then fudged to make it appear that the proper amount of samples had been taken and inspected. The practice violates policy and skews the sampling results.

A third example involves regulated products which are destined for unloading at other ports beyond the initial port of entry. Prior APHIS policy generally required that such products be inspected at the initial port of entry. CBP procedures now allow the products to be forwarded to the destination ports "in bond" and inspected at the arrival sites. This

"in bond" traffic was termed a black hole by agriculture staff at some of the major cargo ports I visited. Once waived through the initial port of entry, the products simply disappeared from view. I was told that this occurred occasionally on cargo aircraft because the flights from the entry to the destination port were domestic in character and not subject to scrutiny on the ATS or ACS systems by specialists in advanced targeting or manifest review units at destination ports. The first indication of such traffic, or the need for an agricultural inspection, was a call from a broker informing CBP of the presence of the product. How many brokers failed to call CBP and request inspection was unknown.

Another example of a problem with regulated and miscellaneous cargo was the sheer volume of some shipments coming into the larger ports and the inability of agricultural specialists at the cargo examinations sites to inspect everything in a timely manner. In such instances the agricultural specialists in targeting were selecting only a few containers of a specific product, for example three containers of Italian tile from a shipment of twenty containers, to send for inspection and allowing the remaining containers of the same product to go through the port unimpeded. The specialists in targeting were told by their supervisors that they could not place holds on everything because of the disruption to the speedy flow of trade through the ports of entry. In this case the selection of which of the twenty containers to examine becomes a kind of guessing game.

Another change in procedure that has had an impact on the interplay between policy and the inspection process occurs in passenger operation at the airports. Prior to the transfer of function, Both APHIS PPQ officers and U.S. Customs inspectors stood at the choke points of airport terminals as the departing passengers left the carousels with their bags and declarations. Both would, in turn, review the declarations and subject the passengers to physical scrutiny and verbal questioning to see if they should be referred either to agriculture or customs secondary for intensive inspections. This procedure was abandoned by CBP. The reason given for the change to the agricultural staff was either a security concern or expediting the flow of passengers out the door. Now only a CBP officer stands at the choke points, examines the declarations, asks questions, and makes such referrals.

The more senior agricultural specialists at air terminals stated almost unanimously that this change in procedure has had a dramatic and deleterious impact on the quality of referrals to agriculture secondary. The passengers who mark their declarations in the affirmative or acknowledge verbally having food products or having been on a farm are referred. But the CBP officers at the choke points lack the knowledge, skill, and experience to make informed referrals based on country of origin, seasonality of fruits and vegetables, baggage profiling, and pest risk of those passengers who deliberately conceal prohibited items or who do not understand the written or oral questions. The statistics bear out their opinion. Both the number of interceptions and the ratio of interceptions to inspections have declined substantially at airports from prior years. In this regard, the number of reportable pest interceptions at air baggage has halved from 2002 and 2003 to 2005 and 2006, from 27,076 and 29,514 to 13,833 and 13,914.

This halving of interceptions occurred not only because of the quality of referrals, but also because of severe staffing shortages. According to the agricultural staff the optimum number of personnel at a busy terminal under present procedures was at least five personnel: a rover at the carousels to target and refer passengers; a second officer at secondary to examine the declarations, talk to passengers, and place baggage onto the x-ray belt; a third officer to man the x-ray machine; and a fourth and fifth officers to open and inspect the contents of baggage that is selected for inspection. A canine officer at the terminal was an added bonus. Yet, in many instances the agricultural staff at the airports has worked with two or three officers, sometimes even less. At times agricultural supervisors and even chiefs have lent a hand at the secondary stations because the few specialists on duty were being overwhelmed by passenger traffic. In such instances the agriculture inspectors lacked time for the staff to examine seized fruits and vegetables.

Even during less busy times, agricultural specialists were often ordered by some of their non-agricultural supervisors or chiefs to remain on the inspection floor and not allowed to return to their offices to examine seized fruits for insects. In both these instances contraband, once collected, was put into grinders at the end of a shift and ultimately discarded without looking for insects. While this practice did mitigate the specific risk of pest introduction, it also prevented any analysis of risk or the detection of previously unknown pathways. It also eliminated many thousands of pest interceptions.

The collection and examination of fruits and vegetables at land border stations has also been affected by a change in agency procedures at some ports. Under APHIS procedures receptacles for fruit and vegetables were placed at primary stations to allow passengers or pedestrians the opportunity to voluntarily discard such items at they entered the country. People with small amounts of fruit or vegetables would often use the receptacles instead of declaring the items or trying to conceal them. During the day agricultural inspectors would walk up to the receptacles, collect the fruit, and then examine the items for pests. Under CBP the receptacles have been removed at some ports and the volume of fruit and vegetables ultimately seized and examined by agricultural inspectors for pests and plant pathogens at these border stations substantially decreased.

Staffing shortages also have had an adverse impact upon the compliance inspections of aircraft. Under PPQ the agricultural officers at the terminals generally examined the planes themselves to ensure that cabins were properly cleaned, food stores removed, and garbage bagged and disposed of. At a number of the airports this inspection was not being done any more or done by one or two compliance specialists who were hard pressed to check all of the arriving planes. Aircraft inspections have dropped in half from a high of 524,010 in 2002 to a low of 212,993 in 2006.

It is noteworthy to add that only one of the airports I visited according to CBP agricultural staff had sufficient numbers of specialists to provide adequate coverage for all of their inspection duties. Most of the airports were operating with about half the staff of inspectors they said they needed to do a thorough job.

The seaports have been affected likewise by a change in routine procedures. The APHIS policy was to inspect high risk vessels the day of arrival, either during core hours or on overtime. If the ship carried the risk of fruit flies, the ship was boarded immediately upon arrival. The CBP agricultural specialists at one port I visited were boarding ships during regular shift hours always in the company of CBP officers, but rarely on overtime with them. The specialists were not allowed aboard incoming ships except in the company of CBP officers because of security concerns. If a vessel arrived after hours or on a weekend, it was boarded by CBP officers alone. The agricultural specialists inspected the ship the following day or on Monday, provided that it was still at that time in port. The specialists stated that such a practice was a safeguarding concern, since the ship's crew was free to leave the ship before the inspectors had a chance to inspect them and to check the vessel's stores and quarters for quarantine materials.

At the same port, the agriculture inspectors were also generally not inspecting passengers arriving on cruise ships because of lack of staff and overtime availability. The inspections were being done primarily by CBP officers. Ship inspections decreased in 2002 and 2003 from approximately 55,000 to 49,000 in 2004 and 2005. While such inspections have increased in 2006 to over 60,000, it is not clear if that figure represents inspections by agriculture specialists or includes those done by CBP officers when boarding and inspecting ships and passengers alone.

A broader and more troubling instance of the occasional disconnects between policy mandates and inspection practices and procedures involves the general inspection process itself. With one exception, every port I visited cited manpower constraints as the primary impediment to the successful completion of the AQI safeguarding mission. This was stressed for cargo, passenger, and express mail processing in spite of the fact that CBP has over the past two years successfully hired a large contingent of new agriculture specialists. The agency had not only equaled the numbers available at the time of the transfer of function in 2003, but had filled by last year all of the vacancies that existed at that time.

This apparent contradiction has occurred as a result of major changes in the way the work is now performed by CBP agricultural specialists, both organizationally and administratively. As mentioned above, the transfer of function shifted dramatically the work paradigm for the agriculture inspectors at the ports of entry. APHIS assigned the majority of its officers to conduct inspections either of passengers or cargo transiting through ports of entry. In the cargo arena the individual PPQ officers reviewed manifests, targeted shipments, inspected and cleared shipments, or held infested or diseased commodities for fumigation, re-export, or destruction. In the passenger arena, the PPQ officers and technicians worked by the carousels, at choke points, and in secondary stations screening and inspecting passengers for forbidden items. Both staffs generally worked eight hour shifts five days a week. Cargo shipments or passenger flights requiring inspection before or after the core eight hour shifts or on weekends were handled on overtime. APHIS managers and supervisors, with a broader port structure, drew upon a greater number of personnel to cover work assignments either during the day or night. The San Diego port, for instance, had officers assigned to the city airport, to the

seaport, and to land border stations in the surrounding area. Staff from one site could support staff at another site if necessary and the entire cadre of officers and technicians were on call for overtime assignments anywhere within the port.

In contrast, CBP has integrated the individual agricultural inspectors into many of its ancillary work units such as training, operations, selectivity, targeting, passenger analysis, and compliance units. The CBP inspection staff has also been assigned in many ports into overlapping or consecutive shifts. Some CBP ports covered the entire work week on three regular shifts, seven days a week, twenty-four hours a day. Other ports worked six days a week on different shifts to cover passenger and cargo traffic. CBP with its larger cadre of officers performing other duties has many more ports of entry. San Diego is one port; San Ysidro a second; and Otay Mesa a third. The separate agricultural staffs in the CBP model do not generally support each other in day to day operations.

While many of the changes noted above have had a positive impact, especially in the training of new officers, the review of manifest entries, and the electronic targeting of cargo shipments, the net effect is that the agricultural inspection workforce, previously concentrated during core hours and on overtime on the primary task of agriculture inspections, is now compartmentalized and diffused. Fewer specialists now do the actual work of inspecting, both in the airport terminals and at the cargo sites, and those that do the inspections are extremely hard pressed to cover all of the high risk pathways or, when work is busy, to perform quality inspections.

A second, administrative factor involves the sheer amount of record keeping incumbent upon agricultural specialists for both APHIS and CBP monitoring systems. APHIS requires data collection and entry for the Workload Accomplishment Data System (WADS), the 280 system, the Pest Information Network (PIN309), Agricultural Quarantine Inspection Monitoring (AQIM), and Emergency Action Notification (EAN) databases. CBP requires data collection and input into the Customs Officer Scheduling System (COSS), the Seized Asset and Case Tracking System (SEACATS), the Treasury Enforcement Communications System (TECS), and Automated Commercial Environment (ACE) electronic systems.

The burden of data collection, data entry, record keeping, and record correction is extensive and has an adverse impact upon the inspection mission. Agricultural supervisors at a number of the ports stated quite frankly that they had little time to oversee the work of their subordinate inspection staff, but were overwhelmed with reporting and record keeping duties. Agricultural specialists at cargo sites said that they spent a good part of their inspection time simply stamping, initialing, and dating copy after copy of cargo manifests. The specialists at the airport terminals, likewise, spoke of the amount of time spent on inputting the results of each inspection into their computers.

As an example of this kind of problem, I interviewed agriculture staff at one port which was tasked with inspecting truck cargo as it crossed the border under the agency's new (ACE) system. The specialists and their supervisor stated that the cargo inspections were

severely compromised because of data entry requirements and the sluggishness of the electronic system. Three agriculture specialists were assigned to inspection duty over an eight hour shift with inspection responsibilities for all of the trucks crossing the border with regulated agricultural commodities. During the busier times of the shift, with sometimes more than a hundred trucks to check, two of the specialists spent all of their time inputting data into the ACE system and sealing the trucks. The third specialist rushed from bay to bay in the warehouse actually inspecting fruit and vegetable products. These inspections were quick and cursory glances into the backs of each truck, abbreviated tailgate looks, and then on to the next bay. According to the agricultural staff, at these times agricultural commodities were being released without adequate inspections.

Another example of problems with the electronic systems was the paperless entry of products. Both targeting and selectivity units stated that according to CBP procedures, manifest information must be provided by carriers at least forty-eight hours prior to arrival at ports of entries into the ACS system. However, importers or brokers had ten days upon arrival to place more detailed entry information into the ACS system. In some instances, the manifest information did not allow the targeting staff to recognize agricultural products or regulated materials and place the commodities on hold. This was especially true with consolidated shipments or with miscellaneous products using generic tariff codes. By the time the importer or broker provided more specific information into the entry data, some of the commodities had left the port without inspection.

Other reporting requirements are duplicative and hinder the inspection process. Specialists at the airports now fill out an APHIS penalty form as well as enter penalty information into the CBP SEACATS system in order to write a violation and impose a civil fine on a passenger who disobeys regulations. According to the agriculture inspectors, the APHIS paper process took about ten to fifteen minutes; the CBP electronic process required from a half an hour to one hour depending on the skill of the specialist with the system. Both are still mandated. Many specialists have stopped assessing penalties when they are busy or when they are short staffed. Violations at the terminals plummeted from 11,198 in 2003, to 5,165 in 2004, and 4,804 in 2005. In 2006 these violations have increased to 7,816; but this is more than 3,000 below the highpoint in 2003. Violations, in all categories, dropped from 23,985 to 13,482 between 2003 and 2006.

The failure to write penalties has an even wider impact since CBP is using the information input into SEACATS to identify and specifically target previous violators, something that APHIS was unable to do with its sole reliance on written documentation. Failure to assess the fine and input the information means the passenger is not targeted again or, if caught a second time, not liable to a larger fine.

Communication and Coordination

Communications and coordination at the senior management and liaison levels in Washington, D.C., were praised by both CBP and APHIS staffs. Regular meetings between senior executives at the highest level, that of administrator and commissioner, or deputy administrator and assistant commissioner, have tended to increase understanding of issues and to resolve many major differences. The liaison staffs at headquarters offices were for the most part long standing colleagues who worked well together, if sometimes with strong differences of opinion about the root of problems between the two agencies.

Coordination between the two agencies in the field differed dramatically from port to port. All of the ports I visited had established pest risk committees as the primary vehicle for interagency coordination and cooperation. The committees generally included CBP port staff; various APHIS elements including representatives from the State Plant Health Director's office, Smuggling Interdiction and Trade Compliance, Investigations and Enforcement Services, and the Plant Inspection Station; and officials from the Food and Drug Administration, Food Safety and Inspection Service, Fish and Wildlife Service, and state agriculture agencies. The more proactive of the pest risk committees had formed subcommittees or delegated authority to subordinate staff with specific tasking to collaborate with other agencies - to meet regularly, share program information and intelligence, assess risk, identify vulnerable pathways, and utilize either blitzes or other kinds of operations to combat the accidental or deliberate entry of pests and plant diseases into our country. Other committees seemed content to provide an occasional forum for the members of individual agencies to meet and greet with little of consequence to follow by way of real collaboration.

The effect of the more active pest committees was evident in talking with APHIS field staff in SITC, IES, and PIS. Where the committees were actively engaged, the APHIS staffs were in regular contact with CBP agricultural liaisons, chiefs, and supervisors; had access to the CBP ports; and could work together in a variety of ways. With less active committees there were still barriers to both communication and cooperation. The key was leadership in both agencies, with CBP at port and field office levels and with APHIS in the state and local offices, and the willingness of staff at lower levels of both agencies to cooperate with each other.

Communication and coordination between CBP Agricultural Quarantine Inspection (AQI) staff at the ports of entry and PPQ's Plant Inspection Station personnel were generally good. Interceptions were quickly transported to the identifiers as was information about the arrival of viable plants requiring inspection and cargo needing fumigation. Most of the identifiers stated that although interceptions had dropped off in 2004 and 2005 the numbers were now rebounding. One of the plant inspection stations I visited had a very large backlog of routine interceptions which the identifier said would never get identified because of the press of other work. Such a situation serves as a cogent argument for discard authority for CBP agricultural specialists.

Many of the ports I visited also received regular monthly reports from the identifiers at the plant inspection stations which highlighted the port's recent interception results, provided pictures and descriptions of rare pests, and singled out individual officers for praise. The reports, when provided to the agricultural specialists, were welcomed since they showed the inspectors the results of their interceptions and highlighted individual accomplishments. Communication and coordination between the CBP ports of entry and APHIS veterinarians were also good with the exception of one port where the CBP liaison, a former PPQ supervisor, and the APHIS veterinary regulatory officer had, according to staff of both agencies, a history of conflict.

Coordination in the joint evaluation teams has improved with time. The initial port reviews by CBP and APHIS staff left personnel from both agencies with grave doubts about the effectiveness of evaluation process. APHIS officials were unhappy with the process itself, with limited access to port personnel and data and the lack of an effective procedure by which deficiencies would be addressed. CBP officials and port staff in turn were concerned with excessive fault finding, with the tendency of some APHIS team members to indulge primarily in criticism of the new agency, especially of flaws and faults that had historically plagued AQI. The process has been amended to incorporate best practices as well as deficiencies into the review report, while the ports are being provided a list of items for remedial attention. The evaluations will never be without some degree of tension; for no agency appreciates an outside party looking over its shoulder, whether it is APHIS personnel or a congressional investigator. I attended the entry and closing conferences for the joint review in San Francisco, both of which were carried out in a professional manner by staff from both agencies. CBP agricultural supervisors and specialists in the field stated that the joint reviews and subsequent recommendations have been keys in resolving various concerns and issues at their ports of entry.

Coordination and communication with respect to the canine teams was and still is problematic. There were major differences in training, in the daily care and handling of the animals, and in annual testing by APHIS and CBP staffs. Agricultural handlers and their dogs are initially trained at the APHIS facility in Orlando, Florida; CBP officers and their dogs are trained at the CBP facility in Front Royal, Virginia. The training procedures are not the same. Most of APHIS' dogs are of a smaller breed, a beagle; while CBP's are of larger breeds, German shepherds or Labrador retrievers. The APHIS beagle is trained to respond passively to five initial food odors by sitting down; the CBP's shepherds are taught to react to either drugs or to explosives actively by pawing.

The beagle has also been traditionally trained by APHIS in the field to expand its range of scents to as many as one hundred individual odors. The shepherd is restricted to the limited number of scents that it learns at the CBP academy. The beagle, when successful, is rewarded by being given treats; the shepherd is rewarded by playing tug of war with a towel. Canine staff under APHIS policy was able to buy many different kinds of treats for their animals; under CBP the staff was usually restricted to one treat when money was

available. The APHIS agricultural staff could provide blankets as bedding for the beagles; while CBP procedures did not allow them.

Training in the field differed too. CBP mandates that the dog be trained each day before beginning to work by identifying one or more of the basic scents hidden by handlers in objects on the carousels. Some of the agriculture handlers stated that this practice, when mandated for the agricultural animals, taught the dog only to look for easy targets and to avoid more difficult odors. CBP also forbade the agricultural handlers from training their dogs on products that had been seized, which was a standard practice under APHIS. Since the seized products, usually exotic fruit and meats, are not available in the marketplace, training on such odors is impossible and the dog gradually loses the ability to detect such contraband.

Most importantly, the APHIS animal is treated as a work partner; the CBP animal as a work tool. The relationship between the agricultural handler and dog is consequently much gentler and more caring among the APHIS staff. The dog handler under APHIS had ready access to veterinarians for the care of the animal in the event of sickness or disease. No administrative process stood in the way of immediate care. In CBP, the handler has to seek approvals, both from canine supervisors and administrative staff, before such care was provided. According to agricultural staff, many of the approvals were hard to get and sometimes untimely. The dogs under APHIS were kenneled in quarters that were generally more expensive and better equipped; when moved into CBP kennels the accommodations became more Spartan, one even lacking in heat for the animals.

Relations between handlers and dogs as a consequence of these factors were quite different and the differences have played havoc in the field. Many of the canine handlers were affronted by the attitude of CBP toward the animals. Many felt the imposition of CBP procedures was done with little concern for the effects on the dogs themselves or on the performance of the agricultural mission. As a consequence, many handlers either left the agency or gave up their dogs. At the onset of the merger APHIS had about one hundred and fifteen canine teams at ports of entry to detect prohibited items in both passenger and cargo areas. That number dropped last year to about eighty-five in CBP. Agricultural inspectors in the field praised the canine teams and their ability to detect concealed fruit, vegetable, and meat products and stated that the reduction in teams at the ports of entry has been a serious handicap to the performance of their safeguarding mission.

One initial problem area in coordination and cooperation has been CBP's participation in emergency response teams to combat domestic pest infestations or plant diseases. Although agreed to by both parties, CBP was unable in 2004, 2005, and 2006 to provide APHIS with substantial numbers of port personnel to assist in these emergency details. The reason for the lack of participation was their shortage of staff in the field. More recently, with an increase in staffing CBP has been providing port personnel in response to such requests for assistance.

One noteworthy success has been in training. All of the specialists I spoke with praised the new officer training at the Professional Development Center, both the quality of the instruction and the competence of the instructors. They felt that they were given a basic foundation in APHIS' entomology and manual sections and a good introduction to CBP's organization and mission, all of which prepared them to do their job in the field. The training staff praised the quality of students coming in to the academy, their high grade point average and low dropout rate. Most of the senior agricultural staff in the field also complimented the newly trained specialists, their willingness to work and their dedication to the agricultural mission.

Minor quibbles about the training curriculum in Frederick involved the lack of orientation on CBP's basic computer systems and the lack of instruction in how to find the bugs in the field that they were being asked to identify at the academy. The specialists also stated that the center needed to use on-line manuals for instruction, not paper copies, since that was the standard mode of access at the ports of entry. It also needed to provide better pest specimens especially for the older students with less keen vision who had considerable difficulty examining the present specimens.

The on the job training provided both pre-academy and post-academy by CBP staff at the ports of entry was also generally praised by staff. The most effective of the ports had full time agricultural coordinators who carefully monitored training time and schedules and supervised the trainees' shadowing activities. Some of the ports included a day or two of training at the plant inspection stations to acquaint the specialists with the work of the entomologists, botanists, and safeguarding officers. At some ports the identifiers had conducted classes to assist the specialists in identifying and finding pests and plant pathogens in the field. The veterinary regulatory officers had also conducted classes at the ports on the risks of avian influenza and bovine spongiform encephalitis to assist the staff in properly regulating meat products.

Performance and Financial Data Analysis

The annual WADS data can be broken down by general categories (Exhibit 1) and by specific pathways (Exhibit 2). In comparing the last year of work under APHIS' system, fiscal year 2003, with the last year of work under CBP's structure, fiscal year 2006, the positive performance changes were: 1) 62% increase in regulated cargo clearances from 458,919 to 747,757; 2) 26% increase in railcar inspections from 507,548 to 643,524; 3) 12% increase in regulated cargo inspections from 606,055 to 678,655; 4) 9% increase in ship inspections from 55,170 to 60,152; and 5) 8% increase in the interception of cargo pests from 29,068 to 31,307.

The negative changes between these two years were: 1) 73% decrease in miscellaneous cargo clearances from 2,043,426 to 552,221; 2) 57% decrease in the inspection of aircraft from 504,796 to 212,993; 3) 43% decrease in the issuance of violations from 23,985 to 13,482; 4) 25% decrease in the interception of all pests from 72,845 to 54,444; 5) 21% decrease in the interception of plant materials from 1,325,318 to 1,043,657; 6) 16% decrease in the inspection of miscellaneous cargo from 595,750 to 498,135; 7) 13%

decrease in air passenger inspections from 9,812,742 to 8,469,472; and 8) 11% decrease in animal product interceptions from 408,011 to 361,131.

The general trend downward in the interception of quarantine materials - animal products, plant pathogens, and pests - supports the agricultural specialists' remarks about the lack of adequate time and personnel to cover major pathways and perform quality inspections.

The financial data also illustrates differences between APHIS and CBP. APHIS uses a standard object class accounting system for determining costs. It also keeps track of costs by source, either appropriated funds, user fees, or reimbursables. CBP uses an offset, activity based, costing system that measures costs by time, resource, and activity. It does not track costs by budgetary source.

According to CBP financial staff, the total user fee cost of the agricultural inspection program was $222,520,533 in 2004; $222,408,076 in 2005; and $241,322,480 in 2006 (Exhibit 3). According to the staff, the 2006 figure represented 5,414,712 hours spent by CBP staff on agricultural functions, which was six percent of a total of 90,181,570 hours spent on all CBP activities. Of the 5,414,712 agricultural hours, 3,550,423 hours were worked by agricultural specialists, or 65.5% of the total hours. The remaining 1,864,289 in agricultural hours, or 34.5% of the total hours, were worked by technicians, officers, managers, and administrative support staff. According to the CBP financial staff agricultural specialists invested 78% of their time on agricultural duties and 22% of their time on other CBP related duties.

Attached as Exhibit 4 is a schedule which analyzes user fee costs and performance results for quarantine material interceptions, cargo inspections and clearances, and passenger inspections over the past three years. Between 2004 and 2006 the costs per each interception has gone up fifteen percent, the cost per each cargo inspection and clearance up twenty-six percent, and the cost per each air passenger inspection up forty-seven percent. Overall, costs have increased while performance results have dropped. The decrease in the number of air passenger inspections was significant, from 11,758,331 to 8,469,472, almost twenty-eight percent.

Agricultural Specialist Comments and Recommendations

All of the agricultural specialists I interviewed at the ports of entry were asked to provide the positives and the negatives effects of the transfer of function upon the performance of the agricultural mission with respect to policy, personnel, and operating procedures. They were also asked what, if anything, they would change to improve the agriculture safeguarding mission at their ports of entry.

The most commonly cited positives were: 1) CBP's promotion of specialists and technicians to higher journeyman grades, GS-11 and GS-7 respectively; 2) the incorporation of a portion of their overtime into retirement calculations; 3) the employment of electronic information systems in administrative and programmatic areas,

specifically COS and ACS, ATS and SEACATS; 4) better use of the latter electronic systems in targeting cargo and passenger traffic; 5) stricter accountability and discipline in conduct and performance; 6) better understanding of customs and immigration duties; and 7) a closer working relationship with their CBP peers, especially with the younger officers.

The most common negatives were: 1) the devaluation of the agricultural mission, its subordination to other agency priorities, i.e. the search for terrorists and weapons of mass destruction, the detection of illegal aliens, and the seizure of illegal drugs and other traditional customs contraband; 2)) the lack of adequate numbers of agricultural staff to properly perform their mission; 3)) the absence of agricultural representation in positions of managerial authority; 4) the lack of budgetary resources to sufficiently fund staffing and overtime, repair or replace broken equipment, and provide routine supplies; and 5) the lack of a career ladder in the field in the agricultural area beyond the GS-12 and the GS-13 levels.

The specialists were also asked what single change either in policy or procedure would most enhance the performance of their safeguarding work. The most common recommendation was to place agriculture managers in position of line authority at ports of entry. According to the specialists, an assistant port director or program manager for agriculture would give their specialty a voice in decision making and provide an opportunity for advancement for the cadre of agricultural personnel beyond supervisor and chief positions into management ranks. It would also provide a mechanism for feedback from subordinate staff to senior port managers which the specialists felt was sorely lacking now.

They also recommended filling open agricultural supervisory and chief positions much more quickly with agricultural personnel. While the agriculture staff praised some of their legacy customs and immigration supervisors and chiefs, they stated that the agricultural inspections needed technically trained first and second line supervisors who were familiar with the science that stood behind the work, knowledgeable of the regulations that governed it, and aware of the risks for American agriculture should quarantine safeguards fail. They also wanted supervisors and chiefs who were willing to speak up on agricultural issues, not serve by sitting passively or silent when there were problems to be resolved with higher management.

They sought, not surprisingly, considerably more agriculture specialists and technicians to help with inspections. According to the field staff, the CBP structure requires more inspectors and technicians in the terminals and at the cargo examination sites for the agricultural staff to perform quality work. Additional technicians could handle data input and other administrative tasks at air terminals and in cargo facilities which would release specialists to concentrate more fully on inspection duties.

The field staff asked for more professional opportunities for agriculture specialists, both within and outside of their immediate ports, such as assignments overseas, details to other ports, and broader training. If this required arming those agriculture specialists willing to

carry guns, they argued for such a measure. According to many of the younger specialists, the gun serves now as a symbol of the differences in status between the CBP officer and agriculture specialist. It disqualifies the specialist from various assignments such as boarding ships unescorted, working with tactical units at the terminals, serving on radiation portal monitor teams, or going overseas or on special temporary duty assignments. It also denies the specialists the opportunity to compete on a more equal basis with CBPO's for promotions into the supervisor and chief grades outside of the agricultural field.

Within ports, the agricultural staff recommended that the senior cadre of agricultural personnel, the chiefs, supervisors, and senior specialists from the various work units, be allowed to meet once or twice a month to share information and discuss common problems. For instance, many of the agricultural staff in targeting and manifest review units said that they lacked knowledge of the results of their holds and such knowledge was crucial to the success of their work. Most of the staff felt that the individual units were too isolated and there was a real need for an occasional forum to discuss the coordination of their duties and how well the overall AQI work was being done.

Field inspectors also sought discard authority for routine pests. They felt that this authority would restore one of the scientific aspects of the work that was promised at employment, cited at the training academy, but missing from the actual job. It also would relieve the APHIS identifiers of backlogs of routine interceptions, allow them more time to spend on significant pests and plant specimens, and attend to additional duties with emergency or domestic units.

Many agricultural specialists asked for the agency to return to some form of annual duty rotations. Many of the agriculture staff, both in cargo and passenger processing, resented being typecast with little or no prospect for a change in duties. They felt that annual rotations through various job assignments made for a well rounded officer, prevented burnout, and dramatically improved morale.

Finally, many legacy agricultural staff and even newly hired specialists in CBP voiced concern during the interviews about the turnover ratio among their inspection staff. Not a few said that they, too, were now looking for other jobs. They stated quite forcefully that the agency needed to make changes on behalf of agriculture if it wanted to keep its better people in house and not become an annual incubator of talent for other agencies.

Praiseworthy Practices

In conclusion, I would like to single out CBP agricultural staff at various ports whom I thought were especially proactive on behalf of the agricultural safeguarding mission: the CBP air cargo and express mail operations in Miami; the CBP training unit in New York; the CBP canine teams in San Francisco and Oakland; the CBP advanced targeting unit and pest risk committees in Long Beach; and the CBP land border inspection station detail at San Ysidro. I was also quite impressed with the work that the APHIS PPQ identifiers were doing at the majority of plant inspection stations at the ports I visited in

not only identifying pest and plant materials, but also providing statistical results, illustrative pictures, and other descriptive materials that were very informative and quite supportive of the work of the CBP agricultural specialists at the ports of entry I visited.

WADS DATA SUMMARY COMPARISON 2000 - 2006
All CBP Ports

Total Ships Inspected 2000	52,375
Total Ships Inspected 2001	52,016
Total Ships Inspected 2002	55,926
Total Ships Inspected 2003	55,170
Total Ship Inspections 2004	48,696
Total Ships Inspected 2005	49,463
Total Ships Inspected 2006	60,152
Total Aircraft Inspected 2000	395,187
Total Aircraft Inspected 2001	436,697
Total Aircraft Inspected 2002	524,010
Total Aircraft Inspected 2003	504,796
Total Aircraft Inspected 2004	504,065
Total Aircraft Inspected 2005	347,470
Total Aircraft Inspected 2006	212,993
Total Railcars Inspected 2000	398,537
Total Railcars Inspected 2001	456,158
Total Railcars Inspected 2002	495,686
Total Railcars Inspected 2003	507,548
Total Railcars Inspected 2004	589,442
Total Railcars Inspected 2005	591,191
Total Railcars Inspected 2006	643,524
Total Conveyances 2000	846,099
Total Conveyances 2001	944,871
Total Conveyances 2002	1,075,622
Total Conveyances 2003	1,043,590
Total Conveyances 2004	1,142,203
Total Conveyances 2005	988,124
Total Conveyances 2006	917,022
Total Reportable Pests 2000	55,160
Total Reportable Pests 2001	54,080
Total Reportable Pests 2002	72,963
Total Reportable Pests 2003	72,845
Total Reportable Pests 2004	58,522
Total Reportable Pests 2005	54,749
Total Reportable Pests 2006	54,444
Total Reportable Pests Cargo 2000	22,613
Total Reportable Pests Cargo 2001	25,019
Total Reportable Pests Cargo 2002	27,747
Total Reportable Pests Cargo 2003	29,068
Total Reportable Pests Cargo 2004	28,357
Total Reportable Pests Cargo 2005	30,693
Total Reportable Pests Cargo 2006	31,307

EXHIBIT 1
PAGE 1 OF 25

WADS DATA SUMMARY COMPARISON 2000 - 2006
All CBP Ports

Total Regulated Cargo Clearances 2000	445,678
Total Regulated Cargo Clearances 2001	411,841
Total Regulated Cargo Clearances 2002	443,072
Total Regulated Cargo Clearances 2003	458,919
Total Regulated Cargo Clearances 2004	526,193
Total Regulated Cargo Clearances 2005	663,356
Total Regulated Cargo Clearances 2006	747,757
Total Regulated Cargo Inspections 2000	513,328
Total Regulated Cargo Inspections 2001	500,292
Total Regulated Cargo Inspections 2002	545,571
Total Regulated Cargo Inspections 2003	606,055
Total Regulated Cargo Inspections 2004	653,959
Total Regulated Cargo Inspections 2005	697,043
Total Regulated Cargo Inspections 2006	678,655
Total Miscellaneous Cargo Clearances 2000	982,844
Total Miscellaneous Cargo Clearances 2001	816,820
Total Miscellaneous Cargo Clearances 2002	1,327,777
Total Miscellaneous Cargo Clearances 2003	2,043,426
Total Miscellaneous Cargo Clearances 2004	1,160,343
Total Miscellaneous Cargo Clearances 2005	694,225
Total Miscellaneous Cargo Clearances 2006	552,221
Total Miscellaneous Cargo Inspections 2000	258,468
Total Miscellaneous Cargo Inspections 2001	339,526
Total Miscellaneous Cargo Inspections 2002	428,110
Total Miscellaneous Cargo Inspections 2003	595,750
Total Miscellaneous Cargo Inspections 2004	459,657
Total Miscellaneous Cargo Inspections 2005	483,690
Total Miscellaneous Cargo Inspections 2006	498,135
Total Violations Issued 2000	21,465
Total Violations Issued 2001	17,374
Total Violations Issued 2002	17,368
Total Violations Issued 2003	23,985
Total Violations Issued 2004	15,957
Total Violations Issued 2005	9,026
Total Violations Issued 2006	13,482
Total Plant Material Interceptions 2000	1,475,028
Total Plant Material Interceptions 2001	1,464,072
Total Plant Material Interceptions 2002	1,344,361
Total Plant Material Interceptions 2003	1,325,318
Total Plant Material Interceptions 2004	1,061,246
Total Plant Material Interceptions 2005	1,139,160
Total Plant Material Interceptions 2006	1,043,657

EXHIBIT 1

WADS DATA SUMMARY COMPARISON 2000 - 2006
All CBP Ports

Total Passengers Inspected 2000	**26,257,805**
Total Passengers Inspected 2001	**30,825,013**
Total Passengers Inspected 2002	**31,490,229**
Total Passengers Inspected 2003	**27,110,179**
Total Passengers Inspected 2004	**32,852,211**
Total Passengers Inspected 2005	**30,596,721**
Total Passengers Inspected 2006	**25,413,082**

Total Animal Product Interceptions 2000	**332,370**
Total Animal Product Interceptions 2001	**332,447**
Total Animal Product Interceptions 2002	**351,151**
Total Animal Product Interceptions 2003	**408,011**
Total Animal Product Interceptions 2004	**434,094**
Total Animal Product Interceptions 2005	**388,889**
Total Animal Product Interceptions 2006	**361,131**

EXHIBIT 1 Page 3 of 3

PAGE 3 OF 25

WADS DATA SUMMARY 2000
All USDA Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	22946
1004	Ship Inspections, Coastwise	4150
1005	Ship Inspections, Other	3246
2003	O/T Inspections, Ships, Foreign	19261
2004	O/T Inspections, Ships, Coastwise	2119
2005	O/T Inspections, Ships, Other	653
	Total Ships Inspected 2000	**52375**
1031	Inspections, Passenger Aircraft	246062
1032	Inspections, Cargo Aircraft	25664
1033	Inspections, Other Aircraft	19385
1094	Inspections, Aircraft	3912
2031	O/T Inspections, Passenger Aircraft	62711
2032	O/T Inspections, Cargo Aircraft	28526
2033	O/T Inspections, Other Aircraft	8927
	Total Aircraft Inspected 2000	**395187**
1065	Railcars Inspected	360865
2065	O/T Inspect, Railcars	37672
	Total Railcars Inspected 2000	**398537**
1136	Reportable Pest	1443
1177	Reportable Pests	6
1015A	Reportable Pest, Baggage	150
1015B	Reportable Pest, Cargo	3902
1015C	Reportable Pest, Stores/Qtrs	1302
1043A	Reportable Pest , Baggage	18846
1043B	Reportable Pest , Cargo	13860
1043C	Reportable Pest, Stores/Qtrs	1890
1081A	Reportable From Pedestrian Mandado/Bag	1541
1081B	Reportable From Passenger Vehicle	7351
1081C	Reportable From Border Cargo	3025
1081D	Reportable Pest From Buses	909
1081E	QMIs, Reportable Pest From Railcar	538
1100B	Reportable Pest, Cargo	383
1100C	Reportable Pest, Stores/Qtrs	14
	Total Reportable Pests 2000	**55160**
	Total Reportable Cargo Pests 2000	**22613**
1008A	Reg Cargo Clearances	105896
1035A	Reg Cargo, Clearances	63888
1067A	Clearances, Regulated Truck Cargo	175913
2008A	O/T Cargo, Reg, Clearances	4273
2035A	O/T Reg Cargo Clearances	33302
2067A	O/T Cargo, Reg, Clearance	62406
	Total Regulated Cargo Clearances 2000	**445678**
1008B	Reg Cargo Inspections	69953
1035B	Reg Cargo, Inspections	141637
1170A	Actual Inspections, Regulated	40

EXHIBIT 1
PAGE 4 OF 25

WADS DATA SUMMARY 2000
All USDA Ports

1067B	Inspections, Regulated Truck Cargo	99542
2008B	O/T Cargo, Reg, Inspections	5160
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspectio	282
2035B	O/T Reg Cargo Inspections	153131
2067B	O/T Cargo, Reg, Inspect	43583
	Total Regulated Cargo Inspections	**513328**
1009A	Misc Cargo-Clearance	105281
1036A	Misc Cargo, Clearances	280466
1068A	Misc Truck Cargo, Clearances	396692
2009A	O/T Cargo, Misc, Clearances	1217
2036A	O/T Misc Cargo Clearances	197510
2068A	O/T Cargo, Misc, Clearance	1678
	Total Miscellaneous Cargo Clearances	**982844**
2009	O/T Cargo, Misc, Inspections	37
2068	O/T Cargo, Misc, Inspect	157
1009B	Misc Cargo-Inspect	101793
1036B	Misc Cargo, Inspections	86234
1068B	Misc Truck Cargo, Inspections	24652
1170B	Actual Inspections - Miscellaneous	372
2009B	O/T Cargo, Misc, Inspections	24439
2036B	O/T Misc Cargo Inspections	17828
2068B	O/T Cargo, Misc, Inspect	2956
	Total Miscellaneous Cargo Inspections	**258468**
1045	Violations, Passenger/Crew	11170
1024	Violations, Reported To USCG	1364
1017	Violations, Passenger/Crew	46
1069	Violations, Passenger/Pedestrian	4455
1138	Violations	3545
1178	Violations	2
1018A	Violations, Ship Garbage	195
1018B	Violations, Ship Notification	87
1018C	Violations, Cargo	96
1046A	Violations, Garbage, Pq592	270
1046B	Violations, Notification, Pq592	61
1046C	Violations, Cargo, PPQ592 Or PPQ518	147
1070A	Violations, Notification	4
1070B	Violations, Cargo	23
	Total Violations Issued 2000	**21465**
1037	Plant QMIs, Baggage	695967
1076	QMIs, Plant, Coop	30835
1131	QMIs, Plant	5252
1172	QMIs, Plant	9
1010A	QMIs, Plant, Baggage	34519
1010B	QMIs, Plant, Cargo	907
1010C	QMIs, Plant, Stores/Qtrs	11641
1038B	Plant QMIs, Stores/Qtrs	215687
1038C	Plant QMIs, Cargo	4042
1071A	Plant QMIs, Vehicle	190560

EXHIBIT 1
PAGE 5 OF 25

WADS DATA SUMMARY 2000
All USDA Ports

1071B	Plant QMIs, Pedestrian	61392
1071C	Plant QMIs, Cargo	1125
1071D	Plant QMIs, Bus	32798
1071E	Plant QMIs, Railcar	1211
1098A	QMIs, Plant, Baggage	189083
	Total Plant Material Interceptions 2000	**1475028**
1052	Passenger/Crew Inspections	8520507
1063	Passengers In Vehicles, number inspected	2678580
1064	Inspected By Agriculture, Pedestrians	8317648
2052	O/T Passenger/Crew Inspections	2228083
2063	O/T Inspect, Passenger	462657
2064	O/T Inspect, Pedestrians	437725
1063A	Passengers In Buses , inspected	3224630
1095B	Inspections, Passenger/Crew	133195
2007A	O/T Passenger/Crew Count	322
2007B	O/T Passenger/Crew Inspections	139
2063A	O/T Inspect, Bus Passenger	254319
	Total Passenger Inspections 2000	**26257805**
1077	QMIs, Meat/Poultry/ Dairy, Coop	1460
1079	QMIs, Animal Prod/Byprod, Coop, Other	134
1132	QMIs, Meat/Poultry/ Dairy	5957
1134	QMIs, Other Animal	1304
1150	Reject-Commercial Poultry/Red Meat	1682
1173	QMIs, Meat/Poultry Dairy	2
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	3333.56
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	25
1013A	QMIs, Inedible Animal, Baggage	2
1013B	QMIs, Inedible Animal, Cargo	11
1039A	Meat/Poultry/Dairy QMIs, Baggage	197799.5
1039B	Meat/Poultry/Dairy QMIs, Aircraft	41091
1039C	Meat/Poultry/Dairy QMIs, Cargo	1654
1041A	Inedible Animal QMIs, Baggage	9311
1041B	Inedible Animal QMIs, Aircraft	140
1041C	Inedible Animal QMIs, Cargo	288
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	39153
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	6203
1072C	QMIs, Meat/Poultry/Dairy, Cargo	195
1072D	QMIs, Meat/Poultry/ Dairy, Bus	5393
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	2760
1074A	QMIs, Inedible Animal, Vehicle	3019
1074B	QMIs, Inedible Animal, Pedestrian	208
1074C	QMIs, Inedible Animal, Cargo	72
1074D	QMIs, Inedible Animal Byproducts, Bus	703
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	5214
1099A	QMIs, Meat/Poultry/ Dairy	2236
	Total Animal Product Interceptions 2000	**332370**

EXHIBIT 1

PAGE 6 OF 25

WADS DATA SUMMARY 2001
All USDA Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	22956
1004	Ship Inspections, Coastwise	4186
1005	Ship Inspections, Other	3343
2003	O/T Inspections, Ships, Foreign	18244
2004	O/T Inspections, Ships, Coastwise	2552
2005	O/T Inspections, Ships, Other	735
	Total Ships Inspected 2001	**52016**
1031	Inspections, Passenger Aircraft	258399
1032	Inspections, Cargo Aircraft	25997
1033	Inspections, Other Aircraft	19617
1094	Inspections, Aircraft	28718
2031	O/T Inspections, Passenger Aircraft	63883
2032	O/T Inspections, Cargo Aircraft	29262
2033	O/T Inspections, Other Aircraft	10821
	Total Aircraft Inspections 2001	**436697**
1065	Railcars Inspected	409034
2065	O/T Inspect, Railcars	47124
	Total Railcars Inspected 2001	**456158**
1136	Reportable Pest	1870
1177	Reportable Pests	98
1015A	Reportable Pest, Baggage	109
1015B	Reportable Pest, Cargo	4625
1015C	Reportable Pest, Stores/Qtrs	1336
1043A	Reportable Pest , Baggage	17509
1043B	Reportable Pest , Cargo	14340
1043C	Reportable Pest, Stores/Qtrs	1117
1081A	Reportable From Pedestrian Mandado/Bag	1000
1081B	Reportable From Passenger Vehicle	6922
1081C	Reportable From Border Cargo	3122
1081D	Reportable Pest From Buses	968
1081E	QMIs, Reportable Pest From Railcar	256
1100B	Reportable Pest, Cargo	806
1100C	Reportable Pest, Stores/Qtrs	2
	Total Reportable Pests 2001	**54080**
	Total Reportable Cargo Pests 2001	**25019**
2067A	O/T Cargo, Reg, Clearance	53704
1170	Clearances	14514
1008A	Reg Cargo Clearances	88520
1035A	Reg Cargo, Clearances	79615
1067A	Clearances, Regulated Truck Cargo	143022
2008A	O/T Cargo, Reg, Clearances	6432
2035A	O/T Reg Cargo Clearances	26034
	Total Regulated Cargo Clearances 2001	**411841**
1008B	Reg Cargo Inspections	68817
1035B	Reg Cargo, Inspections	144608
1067B	Inspections, Regulated Truck Cargo	92014
1170A	Actual Inspections, Regulated	2469
2008B	O/T Cargo, Reg, Inspections	6729
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspectio	1046
2035B	O/T Reg Cargo Inspections	140127
2067B	O/T Cargo, Reg, Inspect	44482
	Total Regulated Cargo Inspections 2001	**500292**
1009A	Misc Cargo-Clearance	119220
1036A	Misc Cargo, Clearances	505918
1068A	Misc Truck Cargo, Clearances	34520
2009A	O/T Cargo, Misc, Clearances	749
2036A	O/T Misc Cargo Clearances	155070

EXHIBIT 1
PAGE 7 OF 25

WADS DATA SUMMARY 2001
All USDA Ports

2068A	O/T Cargo, Misc, Clearance	1343
	Total Miscellaneous Cargo Clearances 2001	**816820**
2009	O/T Cargo, Misc, Inspections	54
2068	O/T Cargo, Misc, Inspect	149
2093	O/T Inspections, Misc Cargo, Airport	1
1036B	Misc Cargo, Inspections	126799
1068B	Misc Truck Cargo, Inspections	28884
1170B	Actual Inspections - Miscellaneous	4860
2036B	O/T Misc Cargo Inspections	25481
2009B	O/T Cargo, Misc, Inspections	23955
2068B	O/T Cargo, Misc, Inspect	1992
1009B	Misc Cargo-Inspect	127351
	Total Miscellaneous Cargo Inspections 2001	**339526**
1017	Violations, Passenger/Crew	24
1024	Violations, Reported To USCG	18
1045	Violations, Passenger/Crew	10282
1069	Violations, Passenger/Pedestrian	4655
1138	Violations	1537
1018A	Violations, Ship Garbage	185
1018B	Violations, Ship Notification	95
1018C	Violations, Cargo	81
1178	Violations	5
1046A	Violations, Garbage, Pq592	141
1046B	Violations, Notification, Pq592	111
1046C	Violations, Cargo, PPQ592 Or PPQ518	200
1070A	Violations, Notification	9
1070B	Violations, Cargo	31
	Total Violations Issued 2001	**17374**
1037	Plant QMIs, Baggage	677452
1076	QMIs, Plant, Coop	33376
1131	QMIs, Plant	7526
1172	QMIs, Plant	40
1010A	QMIs, Plant, Baggage	47028
1010B	QMIs, Plant, Cargo	255
1010C	QMIs, Plant, Stores/Qtrs	8560
1038B	Plant QMIs, Stores/Qtrs	200705
1038C	Plant QMIs, Cargo	4227
1071A	Plant QMIs, Vehicle	196160
1071B	Plant QMIs, Pedestrian	57095
1071C	Plant QMIs, Cargo	1238
1071D	Plant QMIs, Bus	31854
1071E	Plant QMIs, Railcar	659
1098A	QMIs, Plant, Baggage	197897
	Total Plant Material Interceptions 2001	**1464072**
1052	Passenger/Crew Inspections	10189076
1063	Passengers In Vehicles, number inspected	3483807
1064	Inspected By Agriculture, Pedestrians	8486975
2052	O/T Passenger/Crew Inspections	2504726
2063	O/T Inspect, Passenger	543747
2064	O/T Inspect, Pedestrians	439778
1063A	Passengers In Buses , inspected	3563004
1095B	Inspections, Passenger/Crew	217574
2007B	O/T Passenger/Crew Inspections	1115288
2063A	O/T Inspect, Bus Passenger	281038
	Total Passengers Inspected 2001	**30825013**
1077	QMIs, Meat/Poultry/ Dairy, Coop	2339
1079	QMIs, Animal Prod/Byprod, Coop, Other	496
1132	QMIs, Meat/Poultry/ Dairy	8686
1134	QMIs, Other Animal	312
1150	Reject-Commercial Poultry/Red Meat	312

EXHIBIT 1
PAGE 8 OF 25

WADS DATA SUMMARY 2001
All USDA Ports

1173	QMIs, Meat/Poultry Dairy	47
1175	QMIs, Other Animal	4
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	4443
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	150
1013A	QMIs, Inedible Animal, Baggage	7
1013B	QMIs, Inedible Animal, Cargo	155
1039A	Meat/Poultry/Dairy QMIs, Baggage	200496
1039B	Meat/Poultry/Dairy QMIs, Aircraft	40968
1039C	Meat/Poultry/Dairy QMIs, Cargo	2353
1041A	Inedible Animal QMIs, Baggage	7871
1041B	Inedible Animal QMIs, Aircraft	113
1041C	Inedible Animal QMIs, Cargo	551
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	37394
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	5697
1072C	QMIs, Meat/Poultry/Dairy, Cargo	193
1072D	QMIs, Meat/Poultry/ Dairy, Bus	5478
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	2702
1074A	QMIs, Inedible Animal, Vehicle	2878
1074B	QMIs, Inedible Animal, Pedestrian	87
1074C	QMIs, Inedible Animal, Cargo	43
1074D	QMIs, Inedible Animal Byproducts, Bus	114
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	3022
1099A	QMIs, Meat/Poultry/ Dairy	5521
1099C	QMIs, Inedible Animal	15
	Total Animal Products Interceptions 2001	**332447**

EXHIBIT 1
PAGE 9 OF 25

WADS DATA SUMMARY 2002
All USDA Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	23904
1004	Ship Inspections, Coastwise	4655
1005	Ship Inspections, Other	3867
2003	O/T Inspections, Ships, Foreign	19218
2004	O/T Inspections, Ships, Coastwise	3485
2005	O/T Inspections, Ships, Other	797
	Total Ships Inspected 2002	**55926**
1031	Inspections, Passenger Aircraft	223495
1032	Inspections, Cargo Aircraft	38907
1033	Inspections, Other Aircraft	24184
1094	Inspections, Aircraft	139009
2031	O/T Inspections, Passenger Aircraft	66827
2032	O/T Inspections, Cargo Aircraft	21095
2033	O/T Inspections, Other Aircraft	10493
	Total Aircraft Inspected 2002	**524010**
1065	Railcars Inspected	456288
2065	O/T Inspect, Railcars	39398
	Total Railcars Inspected	**495686**
1136	Reportable Pest	669
1177	Reportable Pests	81
1015A	Reportable Pest, Baggage	111
1015B	Reportable Pest, Cargo	6080
1015C	Reportable Pest, Stores/Qtrs	1616
1043A	Reportable Pest , Baggage	27076
1043B	Reportable Pest , Cargo	14109
1043C	Reportable Pest, Stores/Qtrs	1707
1081A	Reportable From Pedestrian Mandado/Bag	3632
1081B	Reportable From Passenger Vehicle	9162
1081C	Reportable From Border Cargo	6032
1081D	Reportable Pest From Buses	1229
1100B	Reportable Pest, Cargo	1008
1100C	Reportable Pest, Stores/Qtrs	14
1081E	QMIs, Reportable Pest From Railcar	437
	Total Reportable Pests 2002	**72963**
	Total Reportable Cargo Pests 2002	**27747**
1008A	Reg Cargo Clearances	91311
1035A	Reg Cargo, Clearances	103822
1067A	Clearances, Regulated Truck Cargo	160000
2008A	O/T Cargo, Reg, Clearances	5881
2035A	O/T Reg Cargo Clearances	24520
2067A	O/T Cargo, Reg, Clearance	57538
	Total Regulated Cargo Clearances 2002	**443072**
1008B	Reg Cargo Inspections	73668
1008C	(Regular Time) Inspections- Regulated Cargo (Container Inspection)	929
1035B	Reg Cargo, Inspections	177907
1067B	Inspections, Regulated Truck Cargo	94618
1170A	Actual Inspections, Regulated	5255
2008B	O/T Cargo, Reg, Inspections	10596
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspection)	32
2035B	O/T Reg Cargo Inspections	133516
2067B	O/T Cargo, Reg, Inspect	49050
	Total Regulated Cargo Inspections 2002	**545571**
1009A	Misc Cargo-Clearance	147272
1036A	Misc Cargo, Clearances	339890
1068A	Misc Truck Cargo, Clearances	456789
2009A	O/T Cargo, Misc, Clearances	1695
2036A	O/T Misc Cargo Clearances	379956

EXHIBIT 1
PAGE 10 OF 25

WADS DATA SUMMARY 2002
All USDA Ports

2068A	O/T Cargo, Misc, Clearance	2175
	Total Miscellaneous Cargo Clearances 2002	**1327777**
2009	O/T Cargo, Misc, Inspections	5
2068	O/T Cargo, Misc, Inspect	134
2093	O/T Inspections, Misc Cargo, Airport	1579
1009B	Misc Cargo-Inspect	143512
1009C	(Regular Time) Inspections Misc Cargo (Container Inspection)	736
1068B	Misc Truck Cargo, Inspections	39530
1170B	Actual Inspections - Miscellaneous	7575
2009B	O/T Cargo, Misc, Inspections	25202
2009C	O/T Inspections -Misc. Cargo (Container Inspection)	55
2036B	O/T Misc Cargo Inspections	42413
2068B	O/T Cargo, Misc, Inspect	3703
1036B	Misc Cargo, Inspections	163666
	Total Miscellaneous Cargo Inspections 2002	**428110**
1017	Violations, Passenger/Crew	43
1024	Violations, Reported To USCG	1771
1045	Violations, Passenger/Crew	8722
1069	Violations, Passenger/Pedestrian	4100
1138	Violations	1375
1178	Violations	4
1018A	Violations, Ship Garbage	253
1018B	Violations, Ship Notification	83
1018C	Violations, Cargo	31
1046A	Violations, Garbage, Pq592	154
1046B	Violations, Notification, Pq592	142
1046C	Violations, Cargo, PPQ592 Or PPQ518	307
1070A	Violations, Notification	268
1070B	Violations, Cargo	115
	Total Violations Issued 2002	**17368**
1037	Plant QMIs, Baggage	548151
1076	QMIs, Plant, Coop	36291
1131	QMIs, Plant	7855
1172	QMIs, Plant	80
1010A	QMIs, Plant, Baggage	44257
1010B	QMIs, Plant, Cargo	530
1010C	QMIs, Plant, Stores/Qtrs	9404
1038B	Plant QMIs, Stores/Qtrs	170954
1038C	Plant QMIs, Cargo	3218
1071A	Plant QMIs, Vehicle	251784
1071B	Plant QMIs, Pedestrian	49713
1071C	Plant QMIs, Cargo	1253
1071D	Plant QMIs, Bus	34534
1071E	Plant QMIs, Railcar	318
1098A	QMIs, Plant, Baggage	186019
	Total Plant Interceptions 2002	**1344361**
1052	Passenger/Crew Inspections	8399785
1063	Passengers In Vehicles, number inspected	5068122
1064	Inspected By Agriculture, Pedestrians	8379897
2052	O/T Passenger/Crew Inspections	2121370
2063	O/T Inspect, Passenger	952129
2064	O/T Inspect, Pedestrians	508506
1063A	Passengers In Buses , inspected	2971087
1095B	Inspections, Passenger/Crew	517571
2007B	O/T Passenger/Crew Inspections	1839439
2063A	O/T Inspect, Bus Passenger	214752
1095B	Inspections, Passenger/Crew	517571
	Total Passenger Inspections 2002	**31490229**
1077	QMIs, Meat/Poultry/ Dairy, Coop	1907
1079	QMIs, Animal Prod/Byprod, Coop, Other	258

EXHIBIT 1
PAGE 11 OF 25

WADS DATA SUMMARY 2002
All USDA Ports

1132	QMIs, Meat/Poultry/ Dairy	24348
1134	QMIs, Other Animal	1735
1150	Reject-Commercial Poultry/Red Meat	5416
1173	QMIs, Meat/Poultry Dairy	42
1175	QMIs, Other Animal	5
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	2127
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	134
1013A	QMIs, Inedible Animal, Baggage	1
1013B	QMIs, Inedible Animal, Cargo	721
1039A	Meat/Poultry/Dairy QMIs, Baggage	195100
1039B	Meat/Poultry/Dairy QMIs, Aircraft	34232
1039C	Meat/Poultry/Dairy QMIs, Cargo	4621
1041A	Inedible Animal QMIs, Baggage	4506
1041B	Inedible Animal QMIs, Aircraft	117
1041C	Inedible Animal QMIs, Cargo	638
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	47142
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	6685
1072C	QMIs, Meat/Poultry/Dairy, Cargo	61
1072D	QMIs, Meat/Poultry/ Dairy, Bus	4689
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	827
1074A	QMIs, Inedible Animal, Vehicle	4259
1074B	QMIs, Inedible Animal, Pedestrian	108
1074C	QMIs, Inedible Animal, Cargo	22
1074D	QMIs, Inedible Animal Byproducts, Bus	60
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	732
1099A	QMIs, Meat/Poultry/ Dairy	9510
1099C	QMIs, Inedible Animal	1148
	Total Animal Product Interceptions 2002	**351151**

EXHIBIT 1
PAGE 12 OF 25

WADS DATA SUMMARY 2003
All CBP Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	21648
1004	Ship Inspections, Coastwise	3380
1005	Ship Inspections, Other	6218
2003	O/T Ship Inspections, Foreign	20135
2004	O/T Ship Inspections, Coastwise	3007
2005	O/T Ship Inspections, Other	782
	Total Ships Inspected 2003	**55170**
1031	Inspections, Passenger Aircraft	210090
1032	Inspections, Cargo Aircraft	43436
1033	Inspections, Other Aircraft	28254
1094	Inspections, Aircraft	134729
2031	O/T Inspections, Passenger Aircraft	54632
2032	O/T Inspections, Cargo Aircraft	18228
2033	O/T Inspections, Other Aircraft	15427
	Total Aircraft Inspected 2003	**504796**
1065	Railcars Inspected	460144
2065	O/T Inspect, Railcars	47314
	Total Railcars Inspected 2003	**507548**
1136	Reportable Pest - Mail	772
1177	Reportable Pests - Inland Inspection	87
1015A	Reportable Pest, Baggage - Maritime	189
1015B	Reportable Pest, Cargo - Maritime	5275
1015C	Reportable Pest, Stores/Qtrs - Maritime	1254
1043A	Reportable Pest , Baggage - Air	29514
1043B	Reportable Pest , Cargo - Air	15521
1043C	Reportable Pest, Stores/Qtrs - Air	1517
1081A	Reportable From Pedestrian Mandado/Bag	2119
1081B	Reportable From Passenger Vehicle	7152
1081C	Reportable From Border Cargo	5979
1081D	Reportable Pest From Buses	1248
1100B	Reportable Pest, Cargo - PreClearance	2206
1100C	Reportable Pest, Stores/Qtrs - PreClearance	12
1136A	Express Mail Reportable Pest	0
	Total Reportable Pests 2003	**72845**
	Total Reportable Pests in Cargo 2003	**29068**
1008A	Reg Cargo Clearances - Maritime	92511
1035A	Reg Cargo, Clearances - Air	100768
1067A	Clearances, Regulated Truck Cargo	179814
1067C	Clearances - Regulated Rail Cargo	185
2008A	O/T Cargo, Reg, Clearances - Maritime	4329
2035A	O/T Reg Cargo Clearances - Air	24319
2067A	O/T Cargo, Reg, Clearance - Truck	56993
	Total Regulated Cargo Clearances 2003	**458919**
1008B	Reg Cargo Inspections - Maritime	80221
1008C	(Regular Time) Inspections- Regulated Cargo (Container Inspection) - Maritime	15859
1035B	Reg Cargo, Inspections - Air	214752
1067B	Inspections, Regulated Truck Cargo	107036
1067D	Inspection - Regulated Rail Cargo	156
2008B	O/T Cargo, Reg, Inspections - Maritime	13319
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspection) - Maritime	1239
2035B	O/T Reg Cargo Inspections - Air	125771
2067B	O/T Cargo, Reg, Inspect - Truck	42726
1170A	Actual Inspections, Regulated - Inland Inspection	4976
	Total Regulated Cargo Inspections 2003	**606055**
1009A	Misc Cargo-Clearance - Maritime	174935
1036A	Misc Cargo, Clearances - Air	348470

EXHIBIT 1
PAGE 13 OF 25

WADS DATA SUMMARY 2003
All CBP Ports

1068A	Misc Truck Cargo, Clearances	912912
1068C	Clearances - Miscellaneous Rail Cargo	68285
2009A	O/T Cargo, Misc, Clearances - Maritime	925
2036A	O/T Misc Cargo Clearances - Air	527657
2068A	O/T Cargo, Misc, Clearance - Truck	2186
1170B	Actual Inspections - Miscellaneous - Inland Inspection	8056
	Total Miscellaneous Cargo Clearances 2003	**2043426**
1009B	Misc Cargo-Inspect - Maritime	146780
1009C	(Regular Time) Inspections Misc Cargo (Container Inspection) - Maritime	30724
1036B	Misc Cargo, Inspections - Air	155961
1068B	Misc Truck Cargo, Inspections	186094
1068D	Inspections - Miscellaneous Rail Cargo	10
2009B	O/T Cargo, Misc, Inspections - Maritime	18522
2009C	O/T Inspections -Misc. Cargo (Container Inspection) - Maritime	1674
2036B	O/T Misc Cargo Inspections - Air	48000
2068B	O/T Cargo, Misc, Inspect - Truck	7985
	Total Miscellaneous Cargo Inspections 2003	**595750**
1017	Violations, Passenger/Crew - Maritime	27
1024	Violations, Reported To USCG	9
1045	Violations, Passenger/Crew - Air	11198
1069	Violations, Passenger/Pedestrian	4119
1104	Violations, Passenger/Crew - PreClearance	0
1138	Violations - Mail	5040
1178	Violations - Inland Inspection Cargo	25
1018A	Violations, Ship Garbage	122
1018B	Violations, Ship Notification	62
1018C	Violations, Cargo - Maritime	641
1046A	Violations, Garbage, Pq592 - Air	195
1046B	Violations, Notification, Pq592 - Air	63
1046C	Violations, Cargo, PPQ592 Or PPQ518 - Air	519
1070A	Violations, Notification - Land Border	1817
1070B	Violations, Cargo - Land Border	148
	Total Violations Issued 2003	**23985**
1037	Plant QMIs, Baggage	564923
1076	QMIs, Plant, Coop	21896
1131	QMIs, Plant	11719
1172	QMIs, Plant	195
1010A	QMIs, Plant, Baggage	33950
1010B	QMIs, Plant, Cargo	758
1010C	QMIs, Plant, Stores/Qtrs	8297
1038B	Plant QMIs, Stores/Qtrs	145050
1038C	Plant QMIs, Cargo	5393
1071A	Plant QMIs, Vehicle	239722
1071B	Plant QMIs, Pedestrian	47322
1071C	Plant QMIs, Cargo	1784
1071D	Plant QMIs, Bus	35804
1071E	Plant QMIs, Railcar	103
1071F	Plant QMIs, Passenger Train	94
1098A	QMIs, Plant, Baggage	208057
1131A	Express Mail Plant Material Interception	251
	Total Plant Interceptions 2005	**1325318**
1052	Passenger/Crew Inspections - Air	7617620
1063	Passengers In Vehicles, number inspected	3598525
1064	Inspected By Agriculture, Pedestrians	8063274
2052	O/T Passenger/Crew Inspections - Air	2195122
2063	O/T Inspect, Passenger - Land Border	611073
2064	O/T Inspect, Pedestrians	649036
1007B	Arriving Passenger/Crew, Inspections - Maritime	421166
1063A	Passengers In Buses , inspected	3017319
1063B	Actual Passengers From Train, inspected	1526
1095B	Inspections, Passenger/Crew - PreClearance	491342

EXHIBIT 1
PAGE 14 OF 25

WADS DATA SUMMARY 2003
All CBP Ports

2007B	O/T Passenger/Crew Inspections - Maritime	279644
2063A	O/T Inspect, Bus Passenger	164532
	Total Passengers Inspected 2003	**27110179**
1077	QMIs, Meat/Poultry/ Dairy, Coop	11270
1079	QMIs, Animal Prod/Byprod, Coop, Other	1422
1132	QMIs, Meat/Poultry/ Dairy	29006
1134	QMIs, Other Animal	1202
1150	Reject-Commercial Poultry/Red Meat	1561
1173	QMIs, Meat/Poultry Dairy	26
1175	QMIs, Other Animal	18
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	1785
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	134
1013A	QMIs, Inedible Animal, Baggage	2
1013B	QMIs, Inedible Animal, Cargo	11
1039A	Meat/Poultry/Dairy QMIs, Baggage	200990
1039B	Meat/Poultry/Dairy QMIs, Aircraft	30617
1039C	Meat/Poultry/Dairy QMIs, Cargo	7266
1041A	Inedible Animal QMIs, Baggage	5292
1041B	Inedible Animal QMIs, Aircraft	206
1041C	Inedible Animal QMIs, Cargo	2786
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	78272
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	6351
1072C	QMIs, Meat/Poultry/Dairy, Cargo	114
1072D	QMIs, Meat/Poultry/ Dairy, Bus	6685
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	49
1072F	QMIs, Meat/Poultry/Dairy, Pax Train	1
1074A	QMIs, Inedible Animal, Vehicle	8336
1074B	QMIs, Inedible Animal, Pedestrian	662
1074C	QMIs, Inedible Animal, Cargo	97
1074D	QMIs, Inedible Animal Byproducts, Bus	1191
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	32
1099A	QMIs, Meat/Poultry/ Dairy	11403
1099C	QMIs, Inedible Animal	43
1132A	Express Mail Meat/Poultry Interceptions	1181
1134A	Express Mail Other Animal Products	0
	Total Animal Product Interceptions 2003	**408011**

EXHIBIT 1
PAGE 15 OF 25

WADS DATA SUMMARY 2004
CBP All Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	23859
1004	Ship Inspections, Coastwise	3390
1005	Ship Inspections, Other	7223
2003	O/T Inspections, Ships, Foreign	12293
2004	O/T Inspections, Ships, Coastwise	1522
2005	O/T Inspections, Ships, Other	409
	Total Ship Inspections 2004	**48696**
1031	Inspections, Passenger Aircraft	230281
1032	Inspections, Cargo Aircraft	47526
1033	Inspections, Other Aircraft	24624
1094	Inspections, Aircraft	80135
2031	O/T Inspections, Passenger Aircraft	50809
2032	O/T Inspections, Cargo Aircraft	10801
2033	O/T Inspections, Other Aircraft	59889
	Total Aircraft Inspections 2004	**504065**
1065	Railcars Inspected	534039
2065	O/T Inspect, Railcars	55403
	Total Railcars Inspected 2004	**589442**
1136	Reportable Pest - Mail	768
1177	Reportable Pests - Inland Inspections	132
1015A	Reportable Pest, Baggage - Maritime	157
1015B	Reportable Pest, Cargo - Maritime	4374
1015C	Reportable Pest, Stores/Qtrs - Maritime	635
1043A	Reportable Pest , Baggage - Air	19581
1043B	Reportable Pest , Cargo - Air	16958
1043C	Reportable Pest, Stores/Qtrs - Air	1266
1081A	Reportable From Pedestrian Mandado/Bag	927
1081B	Reportable From Passenger Vehicle	5860
1081C	Reportable From Border Cargo	6441
1081D	Reportable Pest From Buses	963
1100B	Reportable Pest, Cargo - PreClearance	452
1100C	Reportable Pest, Stores/Qtrs - Preclearance	8
	Total Reportable Pests 2004	**58522**
	Total Reportable Pests Cargo 2004	**28357**
1008A	Reg Cargo Clearances - Maritime	102238
1035A	Reg Cargo, Clearances - Air	98010
1067A	Clearances, Regulated Truck Cargo	245802
1067C	Clearances - Regulated Rail Cargo	5357
2008A	O/T Cargo, Reg, Clearances - Maritime	5999
2035A	O/T Reg Cargo Clearances - Air	12089
2067A	O/T Cargo, Reg, Clearance - Truck	56677
2067C	O/T Clearances - Regulated Rail Cargo	21
	Total Regulated Cargo Clearances	**526193**
1008B	Reg Cargo Inspections	83087
1008C	(Regular Time) Inspections- Regulated Cargo (Container Inspection)	64775
1035B	Reg Cargo, Inspections	212215
1067B	Inspections, Regulated Truck Cargo	146998
1067D	Inspection - Regulated Rail Cargo	271
1170A	Actual Inspections, Regulated	4479
2008B	O/T Cargo, Reg, Inspections	7443
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspection)	4163
2035B	O/T Reg Cargo Inspections	86620
2067B	O/T Cargo, Reg, Inspect	43894
2067D	O/T Inspection - Regulated Rail Cargo	14

EXHIBIT 1
PAGE 16 OF 25

WADS DATA SUMMARY 2004
CBP All Ports

	Total Regulated Cargo Inspections 2004	**653959**
1009A	Misc Cargo-Clearance	166325
1036A	Misc Cargo, Clearances	508386
1068A	Misc Truck Cargo, Clearances	340352
1068C	Clearances - Miscellaneous Rail Cargo	27128
2009A	O/T Cargo, Misc, Clearances	1154
2036A	O/T Misc Cargo Clearances	100241
2068A	O/T Cargo, Misc, Clearance	11881
2068C	O/T Clearances - Miscellaneous Rail Cargo	4876
	Total Miscellaneous Cargo Clearances 2004	**1160343**
1009B	Misc Cargo-Inspect	147547
1009C	(Regular Time) Inspections Misc Cargo (Container Inspection)	71300
2009	O/T Cargo, Misc, Inspections	43
2093	O/T Inspections, Misc Cargo, Airport	3089
1036B	Misc Cargo, Inspections	127913
1068B	Misc Truck Cargo, Inspections	60471
1068D	Inspections - Miscellaneous Rail Cargo	1903
1170B	Actual Inspections - Miscellaneous	7843
2009B	O/T Cargo, Misc, Inspections	3931
2009C	O/T Inspections -Misc. Cargo (Container Inspection)	1429
2036B	O/T Misc Cargo Inspections	20958
2068B	O/T Cargo, Misc, Inspect	13222
2068D	O/T Inspection - Miscellaneous Rail Cargo	8
	Total Miscellaneous Cargo Inspections 2004	**459657**
1017	Violations, Passenger/Crew - Maritime	17
1024	Violations, Reported To USCG	5
1045	Violations, Passenger/Crew - Air	5165
1069	Violations, Passenger/Pedestrian	2290
1104	Violations, Passenger/Crew - PreClearance	0
1138	Violations - Mail	7485
1178	Violations - Inland Inspections Cargo	16
1018A	Violations, Ship Garbage	131
1018B	Violations, Ship Notification	18
1018C	Violations, Cargo - Maritime	100
1046A	Violations, Garbage, Pq592 - Air	168
1046B	Violations, Notification, Pq592 - Air	27
1046C	Violations, Cargo, PPQ592 Or PPQ518 - Air	329
1070B	Violations, Cargo - Land Border	133
1138A	Express Mail Violations	73
	Total Violations Issued 2004	**15957**
1037	Plant QMIs, Baggage	552318
1076	QMIs, Plant, Coop	270
1131	QMIs, Plant	11793
1172	QMIs, Plant	157
1010A	QMIs, Plant, Baggage	20909
1010B	QMIs, Plant, Cargo	445
1010C	QMIs, Plant, Stores/Qtrs	5350
1038B	Plant QMIs, Stores/Qtrs	94376
1038C	Plant QMIs, Cargo	4998
1071A	Plant QMIs, Vehicle	243973
1071B	Plant QMIs, Pedestrian	66623
1071C	Plant QMIs, Cargo	1098
1071D	Plant QMIs, Bus	38856
1071E	Plant QMIs, Railcar	162
1071F	Plant QMIs, Passenger Train	31
1098A	QMIs, Plant, Baggage	95417
1131A	Express Mail Plant Material Interception	2384

EXHIBIT 1
PAGE 17 OF 25

WADS DATA SUMMARY 2004
CBP All Ports

	Total Plant Interceptions 2004	**1139160**
1052	Passenger/Crew Inspections - Air	9730278
1063	Passengers In Vehicles, number inspected	3501333
1064	Inspected By Agriculture, Pedestrians	11676082
2052	O/T Passenger/Crew Inspections - Air	2028053
2063	O/T Inspect, Passenger - Land Border	521173
2064	O/T Inspect, Pedestrians	663248
1007B	Arriving Passenger/Crew, Inspections - Maritime	552737
1063A	Passengers In Buses , inspected	3061277
1063B	Actual Passengers From Train, inspected	1038
1095B	Inspections, Passenger/Crew - PreClearance	281846
2007B	O/T Passenger/Crew Inspections - Maritime	566136
2063A	O/T Inspect, Bus Passenger	269010
	Total Passengers Inspected 2004	**32852211**
1077	QMIs, Meat/Poultry/ Dairy, Coop	820
1079	QMIs, Animal Prod/Byprod, Coop, Other	193
1132	QMIs, Meat/Poultry/ Dairy	26950
1134	QMIs, Other Animal	1711
1150	Reject-Commercial Poultry/Red Meat	441
1173	QMIs, Meat/Poultry Dairy	52
1175	QMIs, Other Animal	15
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	2178
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	137
1013A	QMIs, Inedible Animal, Baggage	59
1013B	QMIs, Inedible Animal, Cargo	8
1039A	Meat/Poultry/Dairy QMIs, Baggage	199380
1039B	Meat/Poultry/Dairy QMIs, Aircraft	22935
1039C	Meat/Poultry/Dairy QMIs, Cargo	5003
1041A	Inedible Animal QMIs, Baggage	6594
1041B	Inedible Animal QMIs, Aircraft	217
1041C	Inedible Animal QMIs, Cargo	892
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	117017
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	8670
1072C	QMIs, Meat/Poultry/Dairy, Cargo	688
1072D	QMIs, Meat/Poultry/ Dairy, Bus	8921
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	16
1072F	QMIs, Meat/Poultry/Dairy, Pax Train	17
1074A	QMIs, Inedible Animal, Vehicle	13510
1074B	QMIs, Inedible Animal, Pedestrian	215
1074C	QMIs, Inedible Animal, Cargo	586
1074D	QMIs, Inedible Animal Byproducts, Bus	408
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	1133
1099A	QMIs, Meat/Poultry/ Dairy	12075
1099C	QMIs, Inedible Animal	42
1132A	Express Mail Meat/Poultry Interceptions	2801
1134A	Express Mail Other Animal Products	410
	Total Animal Product Interceptions 2004	**434094**

EXHIBIT 1

WADS DATA SUMMARY 2005
All CBP Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	30105
1004	Ship Inspections, Coastwise	3472
1005	Ship Inspections, Other	6498
2003	O/T Inspections, Ships, Foreign	8271
2004	O/T Inspections, Ships, Coastwise	844
2005	O/T Inspections, Ships, Other	273
	Total Ships Inspected 2005	**49463**
1031	Inspections, Passenger Aircraft	218371
1032	Inspections, Cargo Aircraft	37902
1033	Inspections, Other Aircraft	21703
2031	O/T Inspections, Passenger Aircraft	50550
2032	O/T Inspections, Cargo Aircraft	3714
2033	O/T Inspections, Other Aircraft	4921
1094	Inspections, Aircraft	10309
	Total Aircraft Inspected 2005	**347470**
1065	Railcars Inspected	557337
2065	O/T Inspect, Railcars	33854
	Total Railcars Inspected 2005	**591191**
1136	Reportable Pest - Mail	426
1177	Reportable Pest - Inland Inspection	77
1015A	Reportable Pest, Baggage - Maritime	114
1015B	Reportable Pest, Cargo - Maritime	5197
1015C	Reportable Pest, Stores/Qtrs - Maritime	693
1043A	Reportable Pest , Baggage - Air	13833
1043B	Reportable Pest , Cargo - Air	18106
1043C	Reportable Pest, Stores/Qtrs - Air	1572
1081A	Reportable From Pedestrian Mandado/Bag	680
1081B	Reportable From Passenger Vehicle	5550
1081C	Reportable From Border Cargo	6907
1081D	Reportable Pest From Buses	1171
1100B	Reportable Pest, Cargo - PreClearance	406
1100C	Reportable Pest, Stores/Qtrs - PreClearance	17
	Total Reportable Pests 2005	**54749**
	Total Reportable Cargo Pests 2005	**30693**
1008A	Reg Cargo Clearances - Maritime	103784
1035A	Reg Cargo, Clearances - Air	172275
1067A	Clearances, Regulated Truck Cargo	348584
2008A	O/T Cargo, Reg, Clearances	5019
2035A	O/T Reg Cargo Clearances	11788
2067A	O/T Cargo, Reg, Clearance	11427
2067C	O/T Clearances - Regulated Rail Cargo	136
1067C	Clearances - Regulated Rail Cargo	10343
	Total Regulated Cargo Clearances 2005	**663356**
1008B	Reg Cargo Inspections	83405
1008C	(Regular Time) Inspections- Regulated Cargo (Container Inspec	66962
1067B	Inspections, Regulated Truck Cargo	203413
1067D	Inspection - Regulated Rail Cargo	330
1170A	Actual Inspections, Regulated - Inland Inspection	1437
1035B	Reg Cargo, Inspections - Air	252524
2008B	O/T Cargo, Reg, Inspections	10696
2035B	O/T Reg Cargo Inspections	46903
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspection)	8875
2067B	O/T Cargo, Reg, Inspect	22496
2067D	O/T Inspection - Regulated Rail Cargo	2
	Total Regulated Cargo Inspections 2005	**697043**
1009A	Misc Cargo-Clearance - Maritime	124810
1036A	Misc Cargo, Clearances - Air	229985

EXHIBIT 1
PAGE 19 OF 25

WADS DATA SUMMARY 2005
All CBP Ports

1068A	Misc Truck Cargo, Clearances	189427
1068C	Clearances - Miscellaneous Rail Cargo	121515
2009A	O/T Cargo, Misc, Clearances - Maritime	768
2036A	O/T Misc Cargo Clearances - Air	22533
2068A	O/T Cargo, Misc, Clearance - Truck	857
2068C	O/T Clearances - Miscellaneous Rail Cargo	4330
	Total Miscellaneous Cargo Clearances 2005	**694225**
1036B	Misc Cargo, Inspections - Air	149559
1009B	Misc Cargo-Inspect - Maritime	128484
1009C	(Regular Time) Inspections Misc Cargo (Container Inspection)	78255
2093	O/T Inspections, Misc Cargo, Airport	3365
1068B	Misc Truck Cargo, Inspections	78552
1068D	Inspections - Miscellaneous Rail Cargo	1181
1170B	Actual Inspections - Miscellaneous - Inland Inspection	5632
2009B	O/T Cargo, Misc, Inspections - Maritime	2480
2009C	O/T Inspections -Misc. Cargo (Container Inspection) - Maritime	1807
2036B	O/T Misc Cargo Inspections - Air	20994
2068B	O/T Cargo, Misc, Inspect - Truck	13381
	Total Miscellaneous Cargo Inspections 2005	**483690**
1017	Violations, Passenger/Crew	28
1024	Violations, Reported To USCG	2
1045	Violations, Passenger/Crew	4804
1069	Violations, Passenger/Pedestrian	1955
1104	Violations, Passenger/Crew	115
1138	Violations	633
1178	Violations	16
1018A	Violations, Ship Garbage	165
1018B	Violations, Ship Notification	34
1018C	Violations, Cargo	87
1046A	Violations, Garbage, Pq592	176
1046B	Violations, Notification, Pq592	7
1046C	Violations, Cargo, PPQ592 Or PPQ518	224
1070B	Violations, Cargo	141
1138A	Express Mail Violations	639
	Total Violations Issued 2005	**9026**
1037	Plant QMIs, Baggage	497267
1131	QMIs, Plant	10448
1172	QMIs, Plant	76
1010A	QMIs, Plant, Baggage	18923
1010B	QMIs, Plant, Cargo	480
1010C	QMIs, Plant, Stores/Qtrs	7136
1038B	Plant QMIs, Stores/Qtrs	75255
1038C	Plant QMIs, Cargo	4076
1071A	Plant QMIs, Vehicle	252975
1071B	Plant QMIs, Pedestrian	85458
1071C	Plant QMIs, Cargo	1348
1071D	Plant QMIs, Bus	50501
1071E	Plant QMIs, Railcar	542
1071F	Plant QMIs, Passenger Train	264
1098A	QMIs, Plant, Baggage	54410
1131A	Express Mail Plant Material Interception	2087
	Total Plant Interceptions 2005	**1061246**
1052	Passenger/Crew Inspections	8738137
1063	Passengers In Vehicles, number inspected	3580767
1064	Inspected By Agriculture, Pedestrians	11764447
2052	O/T Passenger/Crew Inspections	1471252
2063	O/T Inspect, Passenger	302117
2064	O/T Inspect, Pedestrians	514675
1063A	Passengers In Buses , inspected	3383697
1063B	Actual Passengers From Train, inspected	5421
1095B	Inspections, Passenger/Crew	167801

EXHIBIT 1
PAGE 20 OF 25

WADS DATA SUMMARY 2005
All CBP Ports

2007B	O/T Passenger/Crew Inspections	291323
2063A	O/T Inspect, Bus Passenger	377084
	Total Passengers Inspected 2005	**30596721**
1132	QMIs, Meat/Poultry/ Dairy	29861
1134	QMIs, Other Animal	430
1150	Reject-Commercial Poultry/Red Meat	340
1173	QMIs, Meat/Poultry Dairy	13
1175	QMIs, Other Animal	2
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	2395
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	173
1013A	QMIs, Inedible Animal, Baggage	26
1013B	QMIs, Inedible Animal, Cargo	13
1039A	Meat/Poultry/Dairy QMIs, Baggage	189040
1039B	Meat/Poultry/Dairy QMIs, Aircraft	24315
1039C	Meat/Poultry/Dairy QMIs, Cargo	4803
1041A	Inedible Animal QMIs, Baggage	5855
1041B	Inedible Animal QMIs, Aircraft	157
1041C	Inedible Animal QMIs, Cargo	773
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	90587
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	9596
1072C	QMIs, Meat/Poultry/Dairy, Cargo	365
1072D	QMIs, Meat/Poultry/ Dairy, Bus	8472
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	47
1072F	QMIs, Meat/Poultry/Dairy, Pax Train	43
1074A	QMIs, Inedible Animal, Vehicle	12701
1074B	QMIs, Inedible Animal, Pedestrian	267
1074C	QMIs, Inedible Animal, Cargo	124
1074D	QMIs, Inedible Animal Byproducts, Bus	324
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	146
1074F	QMIs, Inedible Animal By-Products, Pax Train	46
1099A	QMIs, Meat/Poultry/ Dairy	7955
1099C	QMIs, Inedible Animal	20
	Total Animal Product Interceptions 2005	**388889**

EXHIBIT 1

PAGE 21 OF 25

WADS DATA SUMMARY 2006
All CBP Ports

Activity Number	Activity Code	Quantity
1003	Ship Inspections, Foreign	33943
1004	Ship Inspections, Coastwise	4586
1005	Ship Inspections, Other	18297
2003	O/T Inspections, Ships, Foreign	3028
2004	O/T Inspections, Ships, Coastwise	247
2005	O/T Inspections, Ships, Other	51
	Total Ships Inspected 2006	**60152**
1031	Inspections, Passenger Aircraft	133140
1032	Inspections, Cargo Aircraft	44340
1033	Inspections, Other Aircraft	24825
2031	O/T Inspections, Passenger Aircraft	7009
2032	O/T Inspections, Cargo Aircraft	1214
2033	O/T Inspections, Other Aircraft	974
1094	Inspections, Aircraft	1491
	Total Aircraft Inspected 2006	**212993**
1065	Railcars Inspected	629962
2065	O/T Inspect, Railcars	13562
	Total Railcars Inspected 2006	**643524**
1136	Reportable Pest - Mail	306
1177	Reportable Pest - Inland Inspection	38
1015A	Reportable Pest, Baggage - Maritime	23
1015B	Reportable Pest, Cargo - Maritime	4875
1015C	Reportable Pest, Stores/Qtrs - Maritime	503
1043A	Reportable Pest , Baggage - Air	13914
1043B	Reportable Pest , Cargo - Air	20397
1043C	Reportable Pest, Stores/Qtrs - Air	1021
1081A	Reportable From Pedestrian Mandado/Bag	909
1081B	Reportable From Passenger Vehicle	5970
1081C	Reportable From Border Cargo	5568
1081D	Reportable Pest From Buses	475
1100B	Reportable Pest, Cargo - PreClearance	429
1100C	Reportable Pest, Stores/Qtrs - PreClearance	16
	Total Reportable Pests 2006	**54444**
	Total Reportable Cargo Pests 2006	**31307**
1008A	Reg Cargo Clearances - Maritime	108267
1035A	Reg Cargo, Clearances - Air	186061
1067A	Clearances, Regulated Truck Cargo	397048
2008A	O/T Cargo, Reg, Clearances	1247
2035A	O/T Reg Cargo Clearances	3404
2067A	O/T Cargo, Reg, Clearance	1529
2067C	O/T Clearances - Regulated Rail Cargo	1
1067C	Clearances - Regulated Rail Cargo	50200
	Total Regulated Cargo Clearances 2006	**747757**
1008B	Reg Cargo Inspections	95634
1008C	(Regular Time) Inspections- Regulated Cargo (Container Inspection)	64627

EXHIBIT 1
PAGE 22 OF 25

WADS DATA SUMMARY 2006
All CBP Ports

1067B	Inspections, Regulated Truck Cargo	222298
1067D	Inspection - Regulated Rail Cargo	223
1170A	Actual Inspections, Regulated - Inland Inspection	1664
1035B	Reg Cargo, Inspections - Air	277839
2008B	O/T Cargo, Reg, Inspections	3746
2035B	O/T Reg Cargo Inspections	3802
2008C	(Overtime) Inspections, Regulated Cargo (Container Inspection)	2587
2067B	O/T Cargo, Reg, Inspect	6235
2067D	O/T Inspection - Regulated Rail Cargo	0
	Total Regulated Cargo Inspections 2006	**678655**
1009A	Misc Cargo-Clearance - Maritime	95366
1036A	Misc Cargo, Clearances - Air	257488
1068A	Misc Truck Cargo, Clearances	58401
1068C	Clearances - Miscellaneous Rail Cargo	134206
2009A	O/T Cargo, Misc, Clearances - Maritime	239
2036A	O/T Misc Cargo Clearances - Air	5087
2068A	O/T Cargo, Misc, Clearance - Truck	145
2068C	O/T Clearances - Miscellaneous Rail Cargo	1289
	Total Miscellaneous Cargo Clearances 2006	**552221**
1036B	Misc Cargo, Inspections - Air	190795
1009B	Misc Cargo-Inspect - Maritime	140495
1009C	(Regular Time) Inspections Misc Cargo (Container Inspection)	104299
2093	O/T Inspections, Misc Cargo, Airport	4898
1068B	Misc Truck Cargo, Inspections	44160
1068D	Inspections - Miscellaneous Rail Cargo	184
1170B	Actual Inspections - Miscellaneous - Inland Inspection	6871
2009B	O/T Cargo, Misc, Inspections - Maritime	789
2009C	O/T Inspections -Misc. Cargo (Container Inspection) - Maritime	571
2036B	O/T Misc Cargo Inspections - Air	4553
2068B	O/T Cargo, Misc, Inspect - Truck	520
	Total Miscellaneous Cargo Inspections 2006	**498135**
1017	Violations, Passenger/Crew	15
1024	Violations, Reported To USCG	5
1045	Violations, Passenger/Crew	7816
1069	Violations, Passenger/Pedestrian	3517
1104	Violations, Passenger/Crew	83
1138	Violations	652
1178	Violations	30
1018A	Violations, Ship Garbage	341
1018B	Violations, Ship Notification	22
1018C	Violations, Cargo	166
1046A	Violations, Garbage, Pq592	199
1046B	Violations, Notification, Pq592	27
1046C	Violations, Cargo, PPQ592 Or PPQ518	464
1070B	Violations, Cargo	86
1138A	Express Mail Violations	59
	Total Violations Issued 2006	**13482**

EXHIBIT 1
PAGE 23 OF 25

WADS DATA SUMMARY 2006
All CBP Ports

1037	Plant QMIs, Baggage	458986
1131	QMIs, Plant	10258
1172	QMIs, Plant	142
1010A	QMIs, Plant, Baggage	16596
1010B	QMIs, Plant, Cargo	508
1010C	QMIs, Plant, Stores/Qtrs	6118
1038B	Plant QMIs, Stores/Qtrs	84758
1038C	Plant QMIs, Cargo	3976
1071A	Plant QMIs, Vehicle	273106
1071B	Plant QMIs, Pedestrian	70905
1071C	Plant QMIs, Cargo	1606
1071D	Plant QMIs, Bus	43296
1071E	Plant QMIs, Railcar	3192
1071F	Plant QMIs, Passenger Train	1794
1098A	QMIs, Plant, Baggage	65983
1131A	Express Mail Plant Material Interception	2433
	Total Plant Interceptions 2006	**1043657**
1052	Passenger/Crew Inspections	8101980
1063	Passengers In Vehicles, number inspected	3830954
1064	Inspected By Agriculture, Pedestrians	9049739
2052	O/T Passenger/Crew Inspections	367492
2063	O/T Inspect, Passenger	93818
2064	O/T Inspect, Pedestrians	128463
1063A	Passengers In Buses , inspected	3381407
1063B	Actual Passengers From Train, inspected	30825
1095B	Inspections, Passenger/Crew	209573
2007B	O/T Passenger/Crew Inspections	137201
2063A	O/T Inspect, Bus Passenger	81630
	Total Passengers Inspected 2006	**25413082**
1132	QMIs, Meat/Poultry/ Dairy	22151
1134	QMIs, Other Animal	284
1150	Reject-Commercial Poultry/Red Meat	267
1173	QMIs, Meat/Poultry Dairy	28
1175	QMIs, Other Animal	11
1011A	QMIs, Meat/Poultry/ Dairy, Baggage	1589
1011B	QMIs, Meat/Poultry/ Dairy, Cargo	241
1013A	QMIs, Inedible Animal, Baggage	4
1013B	QMIs, Inedible Animal, Cargo	75
1039A	Meat/Poultry/Dairy QMIs, Baggage	159923
1039B	Meat/Poultry/Dairy QMIs, Aircraft	25099
1039C	Meat/Poultry/Dairy QMIs, Cargo	8082
1041A	Inedible Animal QMIs, Baggage	3925
1041B	Inedible Animal QMIs, Aircraft	285
1041C	Inedible Animal QMIs, Cargo	936
1072A	QMIs, Meat/Poultry/Dairy, Vehicle	95542
1072B	QMIs, Meat/Poultry/Dairy, Pedestrian	9189
1072C	QMIs, Meat/Poultry/Dairy, Cargo	679
1072D	QMIs, Meat/Poultry/ Dairy, Bus	7752
1072E	QMIs, Meat/Poultry/ Dairy, Railcar	88

EXHIBIT 1
PAGE 24 OF 25

WADS DATA SUMMARY 2006
All CBP Ports

1072F	QMIs, Meat/Poultry/Dairy, Pax Train	184
1074A	QMIs, Inedible Animal, Vehicle	13479
1074B	QMIs, Inedible Animal, Pedestrian	313
1074C	QMIs, Inedible Animal, Cargo	50
1074D	QMIs, Inedible Animal Byproducts, Bus	190
1074E	QMIs, Inedible Animal Products/Byproducts, Rail	64
1074F	QMIs, Inedible Animal By-Products, Pax Train	1
1099A	QMIs, Meat/Poultry/ Dairy	10613
1099C	QMIs, Inedible Animal	87
	Total Animal Product Interceptions 2006	**361131**

EXHIBIT 1

4

PAGE 25 OF 25

EXHIBIT 2
PAGE 1 OF 9

LAND BORDER PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Vehicles Entering	1060	119,691,872	121,049,345	113,648,047	112,615,143	115,680,644	116,803,918	117,533,269
Buses Entering	1060A	385,400	401,685	381,500	413,012	355,685	365,482	371,274
PASSENGER VEHICLES ENTERING:		**120,077,272**	**121,451,030**	**114,029,547**	**113,028,155**	**116,036,329**	**117,169,400**	**117,904,543**
Secondary Vehicles Inspected	1062	1,155,259	1,313,474	2,130,598	1,471,010	1,248,715	1,083,783	1,244,120
Secondary Buses Inspected	1062A	158,188	167,641	169,205	226,290	158,517	165,824	157,605
PASSENGER VEHICLES INSPECTED:		**1,313,447**	**1,481,115**	**2,299,803**	**1,697,300**	**1,407,232**	**1,249,607**	**1,401,725**
Rate of Passenger Vehicles Inspected:		**1.09%**	**1.22%**	**2.02%**	**1.50%**	**1.21%**	**1.07%**	**1.19%**
Plant QMI's - Vehicle	1071A	190,560	196,160	251,784	239,722	243,973	252,975	273,106
Plant QMI's - Bus	1071D	32,798	31,854	34,534	35,804	38,856	50,501	43,296
Meat/Poultry/Dairy QMI's - Vehicle	1072A	39,153	37,394	47,142	78,272	117,017	90,587	95,542
Meat/Poultry/Dairy QMI's - Bus	1072D	5,393	5,478	4,689	6,685	8,921	8,472	7,752
QMI's Inedible Animal - Vehicle	1074A	3,019	2,878	4,259	8,336	13,510	12,701	13,479
QMI's Inedible Animal - Bus	1074D	703	114	60	1,191	408	324	190
Reportable Pests from Passenger Vehicles	1081B	7,351	6,922	9,162	7,152	5,860	5,550	5,970
Reportable Pests from Passenger Bus	1081D	909	968	1,229	1,248	963	1,171	475
PASSENGER VEHICLE INTERCEPTIONS:		**279,886**	**281,768**	**352,859**	**378,410**	**429,508**	**422,281**	**439,810**
Rate of Passenger Vehicle Interceptions:		**21.31%**	**19.02%**	**15.34%**	**22.29%**	**30.52%**	**33.79%**	**31.38%**
Pedestrians Entering	1061	51,279,387	52,090,816	48,313,111	47,693,495	48,360,342	44,212,303	44,414,589
PEDESTRIANS ENTERING:		**51,279,387**	**52,090,816**	**48,313,111**	**47,693,495**	**48,360,342**	**44,212,303**	**44,414,589**
Pedestrians Inspected	1064	8,317,648	8,486,975	8,379,897	8,063,274	11,676,082	11,764,447	9,049,739
OT Pedestrian Inspections	2064	437,725	439,778	508,506	649,036	663,248	514,675	128,463
PEDESTRIANS INSPECTED:		**8,755,373**	**8,926,753**	**8,888,403**	**8,712,310**	**12,339,330**	**12,279,122**	**9,178,202**
Rate of Pedestrians Inspected:		**17.07%**	**17.14%**	**18.40%**	**18.27%**	**25.52%**	**27.77%**	**20.66%**

LAND ' DER PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Plant QMI's - Pedestrian	1071B	61,392	57,095	49713	47,322	66,623	85,458	70,905
Meat/Poultry/Dairy QMI's - Pedestrian	1072B	6,203	5,697	6,685	6,351	8,670	9,596	9,189
QMI's - Inedible Animal - Pedestrian	1074B	208	87	108	662	215	267	313
Reportable Pests from Pedestrian Bags	1081A	1,541	1,000	3,632	2,119	927	680	909
PEDESTRIANS/PASSENGERS INTERCEPTIONS:		**69,344**	**63,879**	**60,138**	**56,454**	**76,435**	**96,001**	**81,316**
Rate of Pedestrians/Passenger Interceptions:		**0.79%**	**0.72%**	**0.68%**	**0.65%**	**0.62%**	**0.78%**	**0.89%**
Railcars Inspected	1065	360,865	409,034	456,288	460,144	534,039	557,337	629,962
OT Railcars Inspected	2065	37,672	47,124	39,398	47,314	55,403	33,854	13,562
RAILCARS INSPECTED:		**398,537**	**456,158**	**495,686**	**507,458**	**589,442**	**591,191**	**643,524**
Plant QMI's - Railcar	1071E	1,211	659	318	103	162	542	3,192
Meat/Poultry/Dairy QMI's - Railcar	1072E	2,760	2,702	827	49	16	47	88
QMI's - Inedible Animal - Railcar	1074E	5,214	3,022	732	32	1,133	146	64
Reportable Pests - Railcar	1081E	538	256	437	280	2,003	175	212
RAILCARS INTERCEPTIONS:		**9,723**	**6,639**	**2,314**	**464**	**3,314**	**910**	**3,556**
Rate of Railcar Interceptions:		**2.44%**	**1.46%**	**0.47%**	**0.09%**	**0.56%**	**0.15%**	**0.55%**
Regulated Truck Cargo Clearances	1067A	175,913	143,022	160,000	179,814	245,802	348,584	397,048
OT Regulated Truck Cargo Clearances	2067A	62,406	53,704	57,538	56,993	56,677	11,427	1,529
Miscellaneous Truck Cargo Clearances	1068A	396,692	34,520	456,789	912,912	340,352	189,427	58,401
OT Miscellaneous Truck Cargo Clearances	2068A	1,678	1,343	2,175	2,186	11,881	857	145
TRUCK CARGO CLEARANCES:		**636,689**	**232,589**	**676,502**	**1,151,905**	**654,712**	**550,295**	**457,123**
Regulated Truck Cargo Inspections	1067B	99,542	92,014	94,618	107,036	146,998	203,413	222,298
OT Regulated Truck Cargo Inspections	2067B	43,583	44,482	49,050	42,726	43,894	22,496	6,235
Miscellaneous Truck Cargo Inspections	1068B	24,562	28,884	39,530	186,094	60,471	78,552	44,160
OT Miscellaneous Truck Cargo Inspections	2068B	2,956	1,992	3,703	7,985	13,222	13,381	520

EXHIBIT 2
PAGE 2 OF 9

EXHIBIT 2
PAGE 3 OF 9

AIR PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Aircraft Inspections - Passenger	1031	246,062	258,399	223,495	210,090	230,281	218,371	133,140
OT Aircraft Inspections - Passenger	2031	62,711	63,883	66,827	54,632	50,809	50,550	7,009
Aircraft Inspections - Cargo	1032	25,664	25,997	38,907	43,436	47,526	37,902	44,340
OT Aircraft Inspections - Cargo	2032	28,526	29,262	21,095	18,228	10,801	3,714	1,214
Aircraft Inspections - Other	1033	19,385	19,617	24,184	28,254	24,624	21,703	24,825
OT Aircraft Inspections - Other	2033	8,927	10,821	10,493	15,427	59,889	4,921	974
Inspections - Aircraft	1094	3,912	28,718	139,009	134,729	80,135	10,309	1,491
AIRCRAFT INSPECTIONS:		**395,187**	**436,697**	**524,010**	**504,796**	**504,065**	**347,470**	**212,993**
Plant QMI's - Stores/Quarters	1038B	215,687	200,705	170,954	145,050	94,376	75,255	84,758
Meat/Poultry/Dairy QMI's - Aircraft	1039B	41,091	40,968	34,232	30,617	22,935	24,315	25,099
Inedible Animal QMI's - Aircraft	1041B	140	113	117	206	217	157	285
Reportable Pest QMI's - Stores/Quarters	1043C	1,890	1,117	1,707	1,517	1,266	1,572	1,021
AIRCRAFT INTERCEPTIONS:		**258,808**	**242,903**	**207,010**	**177,390**	**118,794**	**101,299**	**111,163**
Rate of Interception Per Aircraft Inspection:		**65.49%**	**55.62%**	**39.50%**	**35.14%**	**23.57%**	**29.15%**	**52.19%**
Violations - Air Garbage	1046A	270	141	154	195	168	176	199
Passenger/Crew Count - High Risk	1034A	17,862,893	23,523,726	25,215,021	21,324,044	22,045,486	23,682,345	27,179,002
OT Passenger/Crew Count - High Risk	2034A	4,265,277	6,203,413	6,440,636	5,303,752	5,305,472	4,081,500	1,162,738
Passenger/Crew Count - Medium Risk	1034B	20,697,854	15,891,331	9,951,082	15,543,116	19,708,946	23,699,236	26,868,736
OT Passenger/Crew Count - Medium Risk	2034B	5,921,355	4,750,533	3,207,036	4,635,928	4,858,306	3,748,730	984,487
Passenger/Crew Count - Low Risk	1034C	11,748,131	10,802,367	7,655,013	8,183,876	8,981,624	9,669,201	11,809,694
OT Passenger/Crew Count - Low Risk	2034C	3,911,175	3,419,295	2,287,411	2,472,576	2,369,517	1,420,385	374,710
PASSSENGER/CREW ARRIVALS:		**64,406,685**	**64,590,665**	**54,756,199**	**57,463,292**	**63,269,351**	**66,301,397**	**68,379,367**
Passenger/Crew Inspections (Reg Time)	1052	8,520,507	10,189,076	8,399,785	7,617,620	9,730,278	8,738,137	8,101,980
Passenger/Crew Inspections (OT)	2052	2,228,083	2,504,726	2,121,370	2,195,122	2,028,053	1,471,252	367,492
PASSENGER/CREW INSPECTIONS:		**10,748,590**	**12,693,802**	**10,521,155**	**9,812,742**	**11,758,331**	**10,209,389**	**8,469,472**
Rate of Passenger Inspections Per Arrival:		**16.69%**	**19.65%**	**19.21%**	**17.08%**	**18.58%**	**15.40%**	**12.39%**
Plant QMI's - Baggage	1037	695,967	677,452	548,151	564,923	552,318	497,267	458,986
Meat/Poultry/Dairy QMI's Baggage	1039A	197,799	200,496	195,100	200,990	199,380	189,040	159,923
Inedible Animal QMI's - Baggage	1041A	9,311	7,871	4,506	5,292	6,594	5,855	3,925
Reportable Pest QMI's - Baggage	1043A	18,846	17,509	27,076	29,514	19,581	13,833	13,914
PASSENGER/CREW INTERCEPTIONS:		**921,923**	**903,328**	**774,833**	**800,719**	**777,873**	**705,995**	**636,748**

EXHIBIT 2
PAGE 4 OF 9

AIR PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Rate of Interception Per Baggage Inspection:		**8.58%**	**7.12%**	**7.36%**	**8.16%**	**6.62%**	**6.92%**	**7.52%**
Violations - Passengers/Crew	1045	11,170	10,282	8,722	11,198	5,165	4,804	7,816
Regulated Cargo Clearances	1035A	63,888	79,615	103,822	100,768	98,010	172,275	186,061
OT Regulated Cargo Clearances	2035A	33,302	26,034	24,520	24,319	12,089	11,788	3,404
Miscellaneous Cargo Clearances	1036A	280,466	505,918	339,890	348,470	508,386	229,985	257,488
OT Miscellaneous Cargo Clearances	2036A	197,510	155,070	379,956	527,657	100,241	22,533	5,087
CARGO CLEARANCES:		**575,166**	**766,637**	**848,188**	**1,001,214**	**718,726**	**436,581**	**452,040**
Regulated Cargo Inspections	1035B	141,637	144,608	177,907	214,752	212,215	252,524	277,839
OT Regulated Cargo Inspections	2035B	153,131	140,127	133,516	125,771	86,620	46,903	3,802
Miscellaneous Cargo Inspections	1036B	86,234	126,799	163,666	155,961	127,913	149,559	190,795
OT Miscellaneous Cargo Inspections	2036B	17,828	25,481	42,413	48,000	20,958	20,994	4,553
CARGO INSPECTIONS:		**398,830**	**437,015**	**517,502**	**544,484**	**447,706**	**469,980**	**476,989**
Plant QMI's - Cargo	1038C	4,042	4,227	3,218	5,393	4,998	4,076	3,976
Meat/Poultry/Dairy QMI's - Cargo	1039C	1,654	2,353	4,621	7,266	5,003	4,803	8,082
Inedible Animal QMI's - Cargo	1041C	288	551	638	2,786	892	773	936
Reportable Pest QMI's - Cargo	1043B	13,860	14,340	14,109	15,521	16,958	18,106	20,397
CARGO INTERCEPTIONS:		**19,844**	**21,471**	**22,586**	**30,966**	**27,851**	**27,758**	**33,391**
Rate of Interception Per Cargo Inspection:		**4.98%**	**4.91%**	**4.36%**	**5.69%**	**6.22%**	**5.91%**	**7.00%**
Violations - Cargo	1046C	147	200	307	519	329	224	464

EXHIBIT 2
PAGE 5 OF 9

MARITIME PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Rate of Passenger/Crew Inspection to Arrivals:		**32.64%**	**50.64%**	**59.26%**	**8.57%**	**12.67%**	**11.46%**	**9.67%**
QMI's Plant - Baggage	1010A	34,519	47,028	44,257	33,950	20,909	18,923	16,596
QMI's Meat/Poultry/Dairy - Baggage	1011A	3,333	4,443	2,127	1,785	2,178	2,395	1,589
QMI's Inedible Animal - Baggage	1013A	2	7	1	2	59	26	4
Reportable Pest - Baggage	1015A	150	109	111	189	157	114	23
PASSENGER/CREW INTERCEPTIONS:		**38,004**	**51,587**	**46,496**	**35,926**	**23,303**	**21,458**	**18,212**
Rate of Passenger/Crew Interception to Inspection:		**1.99%**	**1.56%**	**1.24%**	**5.13%**	**2.08%**	**1.61%**	**1.65%**
Violations - Passenger/Crew	1017	46	24	43	27	17		
Regulated Cargo Clearances	1008A	105,896	88,520	91,311	92,511	102,238	103,784	108,267
OT Regulated Cargo Clearances	2008A	4,273	6,432	5,881	4,329	5,999	5,019	1,247
Miscellaneous Cargo Clearances	1009A	105,281	119,220	147,272	174,935	166,325	124,810	95,366
OT Miscellaneous Cargo Clearances	2009A	1,217	749	1,695	925	1,154	768	239
CARGO CLEARANCES:		**216,667**	**214,921**	**246,159**	**272,700**	**275,716**	**234,381**	**205,119**
Regulated Cargo Inspections	1008B	69,953	68,817	73,668	80,221	83,087	83,405	95,634
OT Regulated Cargo Inspections	2008B	5,160	6,729	10,596	13,319	7,443	10,696	3,746
Miscellaneous Cargo Inspections	1009B	101,793	127,351	143,512	146,780	147,547	128,484	140,495
OT Miscellaneous Cargo Inspections	2009B	24,439	23,955	25,204	18,522	3,931	2,480	789
CARGO INSPECTIONS:		**201,345**	**226,852**	**252,980**	**258,842**	**242,008**	**225,065**	**240,664**
QMI's, Plant, Cargo	1010B	907	255	530	758	445	480	508
QMI's Meat/Poultry/Dairy - Cargo	1011B	25	150	134	134	137	173	241
QMI's Inedible Animal - Cargo	1013B	11	155	721	11	8	13	75
Reportable Pest - Cargo	1015B	3,902	4,625	6,080	5,275	4,374	5,197	4,875
CARGO INTERCEPTIONS:		**4,845**	**5,185**	**7,465**	**6,178**	**4,964**	**5,863**	**5,699**
Rate of Interception Per Cargo Inspection:		**2.41%**	**2.29%**	**2.95%**	**2.39%**	**2.05%**	**2.61%**	**2.37%**
Violations - Cargo	1018C	96	81	31	641	100	87	166

MARI" PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Ship Arrivals - Foreign	1001	62,253	64,833	64,514	68,354	101,657	105,688	89,505
Ship Arrivals - Coastwise	1002	27,201	26,679	29,224	27,047	60,691	54,847	27,869
SHIP ARRIVALS:		**89,454**	**91,512**	**93,738**	**95,401**	**162,348**	**160,535**	**117,374**
Ship Inspections - Foreign	1003	22,946	22,956	23,904	21,648	23,859	30,105	33,943
OT Ship Inspections - Foreign	2003	19,261	18,244	19,218	20,135	12,293	8,271	3,028
Ship Inspections - Coastwise	1004	4,150	4,186	4,655	3,380	3,390	3,472	4,586
OT Ship Inspections - Coastwise	2004	2,119	2,552	3,485	3,007	1,522	844	247
Ship Inspections - Other	1005	3,246	3,343	3,867	6,218	7,223	6,498	18,297
OT Ship Inspections - Other	2005	653	735	797	782	409	273	51
SHIP INSPECTIONS:		**52,375**	**52,016**	**55,926**	**55,170**	**48,696**	**49,463**	**60,152**
Rate of Ship Inspections to Arrivals:		**58.55%**	**56.84%**	**59.66%**	**57.83%**	**29.99%**	**30.81%**	**51.25%**
QMI's Plant - Stores/Quarters	1010C	11,641	8,560	9,404	8,297	5,350	7,136	6,118
QMI's Reportable Pest - Stores/Quarters	1015C	1,302	1,336	1,616	1,254	635	693	503
SHIP INTERCEPTIONS:		**12,943**	**9,896**	**11,020**	**9,551**	**5,985**	**7,829**	**6,621**
Rate of Interception to Inspection:		**24.71%**	**19.02%**	**19.70%**	**17.31%**	**12.29%**	**15.83%**	**11.01%**
Violations - Ship Garbage	1018A	195	185	253	122	131	165	341
Violations, Ship Notification	1018B	87	95	83	62	18	34	22
SHIP VIOLATIONS:		282	280	336	184	149	199	363
Rate of Violation to Inspection:		**0.54%**	**0.54%**	**0.60%**	**0.33%**	**0.31%**	**0.40%**	**0.60%**
Arriving Passengers/Crew Count	1007A	5,864,657	4,579,445	2,425,303	3,014,416	5,759,276	9,492,221	10,667,705
OT Arriving Passengers/Crew Count	2007A	322	1,967,136	3,902,486	5,167,321	3,070,709	2,108,068	743,787
PASSENGER/CREW COUNT:		**5,864,979**	**6,546,581**	**6,327,789**	**8,181,737**	**8,829,985**	**11,600,289**	**11,411,492**
Arriving Passenger/Crew Inspections	1007B	1,914,068	2,199,678	1,910,662	421,166	552,737	1,037,647	965,878
OT Arriving Passenger/Crew Inspections	2007B	139	1,115,288	1,839,439	279,644	566,136	291,323	137,201
PASSENGER/CREW INSPECTIONS:		**1,914,207**	**3,314,966**	**3,750,101**	**700,810**	**1,118,873**	**1,328,970**	**1,103,079**

EXHIBIT 2
PAGE 6 OF 9

EXHIBIT 2
PAGE 7 OF 9

EXPRESS MAIL AND USPS MAIL PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Number of Express Mail Packages X-Rayed	1137A					41,905	108,397	58,081
Express Mail Packages Inspected	1130A					60,819	65,399	66,191
Express Mail Plant Material Interceptions	1131A					2,384	2,087	2,433
Express Mail Plant Material QMI's	1131B							452
Express Mail Meat/Poultry Interceptions	1132A					2,801	2,788	5,616
Express Mail Other Animal Products	1134A					410	887	531
Express Mail Packages Reportable Pests	1136A					117	158	185
EXPRESS MAIL INTERCEPTIONS:						**5,712**	**5,920**	**9,217**
Rate of Express Mail Interceptions:						**9.39%**	**9.05%**	**13.92%**
Express Mail Violations	1138A					73	639	59
Number of USPS Mail Packages X-Rayed	1137			7,574	101,844	1,020,658	16,516,211	19,978,008
USPS Mail Packages Inspected	1130	238,321	434,987	419,597	290,015	254,918	232,367	204,827
USPS Mail Plant QMI's	1131	5,252	7,526	7,855	11,719	11,793	10,448	10,258
USPS Mail Meat/Poultry Interceptions	1132	5,957	8,686	24,348	29,006	26,950	29,861	22,151
USPS Mail Other Animal Products	1134	1,304	312	1,735	1,202	1,711	430	284
USPS Mail Packages Reportable Pests	1136	1,443	1,870	669	772	768	426	306
USPS MAIL INTERCEPTIONS:		**13,956**	**18,394**	**34,607**	**42,699**	**41,222**	**41,165**	**32,999**
Rate of USPS Mail Interceptions:		**5.86%**	**4.23%**	**8.25%**	**14.72%**	**16.17%**	**17.72%**	**16.11%**
USPS Mail Violations	1138	3,545	1,537	1,375	5,040	7,485	16,376	652

INL PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Clearances	1170	73	14,514	51,279	61,759	41,560	21,681	24,950
Actual Inspections, Regulated	1170A	40	2,469	5,255	4,976	4,479	1,437	1,664
Actual Inspections, Miscellaneous	1170B	372	4,860	7,575	8,056	7,843	5,632	6,871
INLAND INSPECTIONS:		**412**	**7,329**	**12,830**	**13,032**	**12,322**	**7,069**	**8,535**
QMI's - Plant	1172	9	40	80	195	157	76	142
QMI's - Meat/Poultry/Dairy	1173	2	47	42	26	52	13	28
QMI's - Other Animal	1175		4	5	18	15	2	11
Reportable Pests	1177	6	98	81	87	132	77	38
INLAND INTERCEPTIONS:		**17**	**189**	**208**	**326**	**356**	**168**	**219**
Rate of Inland Interceptions:		**4.13%**	**2.58%**	**1.62%**	**2.50%**	**2.89%**	**2.38%**	**2.57%**
Violations	1178	2	5	4	25	16	16	30

EXHIBIT 2
PAGE 9 OF 9

FOREIGN PATHWAYS

Activity Name	Code	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006
Inspections - Aircraft	1094	3,912	28,718	139,009	134,729	80,135	10,309	1,491
O/T Inspections - Regulated Cargo	2092							
O/T Inspections - MiscellaneousCargo	2093		1	1,579		3,089	3,365	4,898
INLAND AIRCRAFT & CARGO INSPECTIONS:		**3,912**	**28,719**	**140,588**	**134,729**	**83,224**	**13,674**	6,389
Reportable Pests - Stores/Quarters	1100C	14	2	14	12	8	17	16
Reportable Pests - Cargo	1100B	383	806	1,008	2,206	452	406	429
REPORTABLE PESTS:		**397**	**808**	**1,022**	**2,218**	**460**	**423**	**445**
Rate of Interception of Pests:		**10.15%**	**2.81%**	**0.73%**	**1.65%**	**0.55%**	**3.09%**	6.97%
Passenger/Crew Count	1095A	3,414,749	5,214,359	9,634,028	9,896,241	9,772,906	10,178,575	10,502,215
Passenger/Crew Inspections	1095B	133,195	217,574	517,571	491,342	281,846	167,801	209,573
Rate ofPassenger/Crew Inspection:		**3.90%**	**4.17%**	**5.37%**	**4.96%**	**2.88%**	**1.65%**	2.00%
QMI's - Plant, Baggage	1098A	189,083	197,897	186,019	208,057	95,417	54,410	65,983
QMI's - Meat/Poultry/Dairy, Baggage	1099A	2,236	5,521	9,510	11,403	12,075	7,955	10,613
QMI's - Inedible Animal, Baggage	1099C	383	15	1,148	43	42	20	87
INLAND QMI BAGGAGE INTERCEPTIONS:		**191,702**	**203,433**	**196,677**	**219,503**	107,534	**62,385**	**76,683**
Rate of Inland Baggage Interceptions:		**143.93%**	**93.50%**	**38.00%**	**44.67%**	**38.15%**	**37.18%**	**36.59%**
Violations, Passenger/Crew	1104				0	0	115	83

FY 2004		
APHIS User Fees		Totals
Air Passenger		
Compliance Checks - Air (A)	$	7,918,038
Document Review - Air (A)	$	6,258,993
Examine - Compliant Passengers - Air (A)	$	27,506,417
Examine - Noncompliant Passengers - Air (A)	$	99,461,138
Interception Process - Air (A)	$	1,717,718
Military Aircraft (A)	$	1,065,105
Total Air Passenger	**$**	**143,927,409**
Commercial Vehicle		
Cargo - Land (A)	$	8,136,206
Document Review - Land (A)	$	477,184
Truck Traffic (A)	$	745,741
Total Commercial Vehicle	**$**	**9,359,131**
Commercial Vessel		
Cargo - Sea (A)	$	18,924,002
Commercial Vessel (A)	$	8,275,338
Compliance Checks - Sea (A)	$	766,685
Document Review - Sea (A)	$	4,964,731
Examine - Compliant Passengers - Sea (A)	$	528,619
Examine - Noncompliant Passengers - Sea (A)	$	378,875
Interception Process - Sea (A)	$	1,397,914
Military Vessels (A)	$	2,507
Total Commercial Vessel	**$**	**35,238,671**
Rail Car		
Cargo - Rail (A)	$	2,152,324
Compliance Checks - Rail (A)	$	25,389
Document Review - Rail (A)	$	718,183
Examine - Noncompliant Passengers - Rail (A)	$	74,850
Interception Process - Rail (A)	$	437,151
Total Rail Car	**$**	**3,407,897**
Aircraft Clearance		
Cargo - Air (A)	$	29,224,979
Courier Mail (A)	$	1,184,271
Cut Flower Release - Air (A)	$	178,175
Total Aircraft Clearance	**$**	**30,587,425**
Total APHIS Cost	$	222,520,533

EXHIBIT 3

PAGE 1 OF 3

FY 2005		
AQI User Fees		Totals
Air Passenger		
Compliance Checks - Air (A)	$	6,781,755
Document Review - Air (A)	$	12,542,860
Antiterrorism - Passenger - Air (A)	$	7,164,843
Examine - Compliant Passengers - Air (A)	$	47,071,218
Examine - Noncompliant Passengers - Air (A)	$	81,338,817
Interception Process - Air (A)	$	4,391,421
Informed Compliance - Air (A)	$	377,753
Identify - Air (A)	$	4,187,511
Non-Intrusive Technology - Passenger - Air (A)	$	12,735
Military Aircraft (A)	$	1,130,992
Total Air Passenger	$	**164,999,905**
Commercial Vehicle		
Cargo - Land (A)	$	5,717,535
Document Review - Land (A)	$	62,771
Truck Traffic (A)	$	2,870,245
Total Commercial Vehicle	$	**8,650,551**
Commercial Vessel		
Cargo - Sea (A)	$	2,202,671
Commercial Vessel (A)	$	10,112,903
Compliance Checks - Sea (A)	$	817,730
Document Review - Sea (A)	$	5,624,376
All Examine - Compliant Passengers - Sea (A)	$	2,474,187
Examine - Noncompliant Passengers - Sea (A)	$	800,326
Antiterrorism - Passenger - Sea (A)	$	546,845
Informed Compliance - Sea (A)	$	47,749
Identify - Sea (A)	$	195,026
Non-Intrusive Technology - Passenger - Sea (A)	$	67,130
Military Vessels (A)	$	49,373
Cut Flower Release - Sea (A)	$	1,116
Total Commercial Vessel	$	**22,939,432**
Rail Car		
Cargo - Rail (A)	$	1,943,209
Compliance Checks - Rail (A)	$	41,759
Document Review - Rail (A)	$	492,040
Examine - Noncompliant Passengers - Rail (A)	$	261,358
Interception Process - Rail (A)	$	33,265
Total Rail Car	$	**2,771,630**
Aircraft Clearance		
Cargo - Air (A)	$	21,506,923
Courier Mail (A)	$	994,221
Cut Flower Release - Air (A)	$	545,413
Total Aircraft Clearance	$	23,046,557
Total AQI Cost	$	222,408,076

EXHIBIT 3
PAGE 2 OF 3

FY 2006		
APHIS User Fees		Totals
Air Passenger		
Antiterrorism - Passenger - Air (A)	$	2,710,903.97
Compliance Checks - Air (A)	$	5,293,812.24
Document Review - Air (A)	$	8,029,368.18
Examine - Compliant Passengers - Air (A)	$	23,152,864.68
Examine - Noncompliant Passengers - Air (A)	$	102,069,527.63
Identify - Air (A)	$	3,517,084.95
Informed Compliance - Air (A)	$	250,521.07
Interception Process - Air (A)	$	2,083,332.25
Military Aircraft (A)	$	1,142,299.67
Non-Intrusive Technology - Passenger - Air (A)	$	848,018.96
Private Aircraft (A)	$	4,001,850.46
Total Air Passenger	**$**	**153,099,584.06**
Commercial Truck		
Cargo - Land (A)	$	10,905,249.53
Compliance Checks - Land (A)	$	87,784.29
Compliance Checks - Vehicle (A)	$	10,343,096.03
Document Review - Land (A)	$	-
Military Vehicles (A)	$	-
Truck Traffic (A)	$	1,315,586.29
Total Commercial Truck	**$**	**22,651,716.13**
Commercial Vessel		
Antiterrorism - Passenger - Sea (A)	$	362,744.21
Cargo - Sea (A)	$	-
Commercial Vessel (A)	$	14,772,056.50
Compliance Checks - Misc (A)	$	2,690,727.73
Compliance Checks - Sea (A)	$	1,085,474.65
Cut Flower Release - Sea (A)	$	383.38
Document Review - Sea (A)	$	6,463,414.00
Examine - Compliant Passengers - Cruise (A)	$	1,235,154.29
Examine - Compliant Passengers - Sea (A)	$	-
Examine - Noncompliant Passengers - Sea (A)	$	590,597.38
Identify - Sea (A)	$	38,750.94
Informed Compliance - Sea (A)	$	132,954.02
Interception Process - Sea (A)	$	3,897,966.07
Military Vessels (A)	$	13,331.16
Private Vessel (A)	$	4,001,296.70
Total Commercial Vessel	**$**	**35,284,851.04**
Rail Car		
Cargo - Rail (A)	$	1,700,807.80
Compliance Checks - Rail (A)	$	42,510.78
Document Review - Rail (A)	$	556,114.70
Examine - Compliant Passengers - Rail (A)	$	135,459.90
Examine - Noncompliant Passengers - Rail (A)	$	112,514.11
Interception Process - Rail (A)	$	66,084.14
Total Rail Car	**$**	**2,613,491.44**
Aircraft Clearance		
Air Fee Audits - Air Landing (A)	$	73,255.72
Cargo - Air (A)	$	25,796,139.15
Courier Mail (A)	$	1,007,010.10
Cut Flower Release - Air (A)	$	796,432.52
Total Aircraft Clearance	$	27,672,837.49
Total APHIS Cost	$	241,322,480.17

Note: Costs do not match those on the Statement of Net Costs because these exclude 8 million dollars in costs for services at Puerto Rico and the Virgin Islands, which we pay out of other sources

EXHIBIT 3

PAGE 3 OF 3

EXHIBIT 4
PAGE 1 OF 1

CBP AQI COSTS
INTERCEPTIONS, CARGO,
AND AIR PASSENGER

Year	Pest Interceptions	Plant Inteceptions	Animal Product Interceptions	Total Interceptions	CBP Cost of AQI Operations	CBP Cost Per Interception
2004	58,522	1,061,246	434,094	1,553,862	$222,520,533	$143.20
2005	54,749	1,139,160	388,889	1,582,798	$222,408,076	$140.52
2006	54,444	1,043,657	361,131	1,459,232	$241,322,480	$165.38

Year	Total Cargo Inspections	Total Cargo Clearances	Total Inspections & Clearances	CBP Cost for Cargo Traffic	CBP Cost Per Inspection & Clearance
2004	1,113,616	1,686,536	2,800,152	$78,593,124	$28.07
2005	1,180,733	1,357,581	2,538,314	$57,408,170	$22.62
2006	1,176,790	1,299,978	2,476,768	$88,222,896	$35.62

Year	Total Air Passenger Inspections	CBP Cost For Air Passengers	CBP Cost Per Passenger
2004	11,758,331	$143,927,409	$12.24
2005	10,209,389	$164,999,905	$16.16
2006	8,469,472	$153,099,584	$18.08

The CHAIRMAN. Thank you, Mr. Jurich, for a comprehensive report, and we will be looking forward to asking you some additional questions. Ms. Shames, it is your turn. Please proceed.

STATEMENT OF LISA SHAMES, DIRECTOR, NATURAL RESOURCES AND ENVIRONMENT, U.S. GOVERNMENT ACCOUNTABILITY OFFICE, WASHINGTON, D.C.

Ms. SHAMES. Thank you. Chairman Cardoza, Ranking Member Neugebauer and Members of the Subcommittee, I am pleased to be here today to discuss our work on the Agricultural Quarantine Inspection Program, AQI. This program is the first line of defense to protect U.S. agriculture from either the accidental or deliberate introduction of foreign pests and diseases. Thus, the effective management of the AQI program is essential. This morning I would like to focus on three key findings. First, CBP and APHIS have taken steps that are intended to strengthen the AQI program since its transfer; second, our survey of agricultural specialists found that many believe that the agricultural inspection mission has been compromised; and, third, several management problems if not addressed could increase the vulnerability of U.S. agriculture to foreign pests and diseases.

First, regarding the steps CBP and APHIS have taken: Training hours have been increased and now newly hired CBP officers receive 16 hours of training on agriculture issues. Also, based on our survey, 75 percent of the agriculture specialists believe that they received sufficient training to enable them to perform their duties. Agricultural specialists have access to CBP's computer system that is designed to help target high risk shipments and passengers, and to identify companies that have previously violated quarantine laws. Joint agency quality assurance reviews were started to ensure that inspections comply with policies and procedures. We were told that 13 were completed in Fiscal Year 2004 through 2006. Seven reviews were underway in 2007, and seven are scheduled for 2008.

Last, all CBP district field offices established an agricultural liaison position as of January 2006. Liaisons were to help disseminate information between APHIS and CBP. However, many agriculture specialists believe that the agricultural mission has been compromised according to our January 2006 survey. While 86 percent reported feeling at least somewhat prepared for their duties, 60 percent indicated that they were doing either somewhat or many fewer inspections and interceptions. In addition, there appear to be morale issues. When asked what is improving, 18 percent cited working relationships. However, the second most frequent response was nothing, that is, 13 percent reported that nothing is going well with their work. Ten percent were positive about their salary and benefits.

When asked what should be changed or improved, responses were: declining agricultural mission, 29 percent; working relationships, 29 percent; and CBP chain of command, 28 percent. We note that these morale issues are not unexpected in a merger. Among the lessons learned from private sector experiences is that employees often worry about their place in the new organization and productivity declines. We found several management problems that

may leave U.S. agriculture vulnerable to foreign pests and diseases. CBP had not used available data to monitor changes in activities. Our analysis of the average inspection and interception rates before and after the transfer showed significant increases or decreases in some of the district field offices. During our review CPB was unable to explain these changes. Recently CBP told us that it is now routinely using these data such as in monthly reports.

The AQI program had an incomplete set of measures to assess program performance. CBP carried over two performance measures addressing international air and border vehicle passengers. However, they address only two pathways and neglect others. Recently, CBP said that it implemented measures for land, air, and maritime shipments for Fiscal Year 2007 and plans to add additional performance measures for Fiscal Years 2008 and 2009. K–9 teams are critical for targeting inspections. However, their numbers have decreased from 140 to 80. In our survey, 46 percent of K–9 specialists said they were frequently directed to perform outside duties. They were concerned that the dogs were becoming less proficient. In fact, 60 percent of the 43 K–9 teams failed proficiency tests in 2005. Currently, CBP tells us that it has 94 teams.

Finally, CBP still lacks adequate numbers of agricultural specialists. Positively, APHIS and CBP developed a national staffing model to ensure sufficient levels at each port as we had recommended. However, this model shows that as of August 2007, CBP still needs over 1,000 additional specialists. In conclusion, although we have reported that CBP and APHIS have taken steps intended to strengthen the AQI program, we found serious management problems. Further, many agriculture specialists believe that the mission has been compromised. Until the AQI program is better integrated into CBP, U.S. agriculture may be left vulnerable to the threat of foreign pests and diseases.

Mr. Chairman, this concludes my prepared statement, and I would be pleased to answer any questions that you or Members of the Subcommittee may have.

[The prepared statement of Ms. Shames follows:]

PREPARED STATEMENT OF LISA SHAMES, DIRECTOR, NATURAL RESOURCES AND ENVIRONMENT, U.S. GOVERNMENT ACCOUNTABILITY OFFICE, WASHINGTON, D.C.

Mr. Chairman and Members of the Subcommittee:

We are pleased to be here to discuss our work on the Agricultural Quarantine Inspection (AQI) program. Under the AQI program, international passengers and cargo are inspected at U.S. ports of entry to seize prohibited material and intercept foreign agricultural pests. The AQI program is the first line of defense for agriculture, which is the largest industry and employer in the United States, generating more than $1 trillion in economic activity annually. The entry of foreign pests and diseases can harm this important sector of our economy, the environment, plant and animal health, the food supply, and public health. The U.S. Department of Agriculture (USDA) estimates that foreign pests and diseases cost the American economy tens of billions of dollars annually in lower crop values, eradication programs, and emergency payments to farmers. The terrorist attacks of September 11, 2001 heightened concerns about agriculture's vulnerability to terrorism, including the deliberate introduction of livestock, poultry, and crop diseases, such as foot-and-mouth disease or avian influenza.

The Homeland Security Act of 2002 transferred responsibility for agricultural quarantine inspections from USDA to the Department of Homeland Security's (DHS) Customs and Border Protection (CBP) effective in March 2003, but left cer-

tain other agricultural quarantine responsibilities with USDA's Animal and Plant Health Inspection Service (APHIS). APHIS's responsibilities are to set agriculture inspection policy, provide related training, and collect AQI user fees. Beginning in March 2003, more than 1,800 agriculture specialists who had formerly reported to USDA became CBP employees, as CBP incorporated the protection of U.S. agriculture into its primary anti-terrorism mission. In addition to protecting U.S. agriculture and other functions, CBP's mission is to detect and prevent terrorists and their weapons from entering the United States, interdict illegal drugs and other contraband, and apprehend individuals who are attempting to enter the United States illegally. CBP faces a daunting task in protecting U.S. agriculture from accidental or deliberate introduction of diseases or pests, while attending to these missions.

After examining concerns that the transfer of agricultural inspections to CBP could shift the focus away from agriculture to CBP's other mission priorities, we reported in May 2006 on the coordination between USDA and DHS and made several recommendations to help ensure that U.S. agriculture is protected from accidentally or intentionally introduced pests and diseases.[1] USDA and DHS generally agreed with the report's recommendations. In preparing this report, we surveyed a representative sample of CBP's agriculture specialists on their work experiences before and after the transfer and included the responses to the survey's 31 multiple-choice questions in the report.[2] The survey also asked two open-ended questions: (1) What is going well with respect to your work as an agriculture specialist? and (2) What would you like to see changed or improved with respect to your work as an agriculture specialist? In November 2006, we separately reported on the common themes in the narrative responses.[3] My testimony today is based on these two reviews. We conducted the reviews from April 2005 through October 2006 in accordance with generally accepted government auditing standards.

This morning I will focus on three key findings:

- CBP and APHIS have taken steps intended to strengthen the AQI program since the transfer of inspection responsibilities from USDA to DHS following passage of the Homeland Security Act of 2002. CBP and APHIS have expanded the hours of agricultural training for CBP officers and developed a national standard for this training; given agriculture specialists access to CBP's Automated Targeting System to focus inspections on higher-risk passengers and cargo; and established a joint review process for assessing compliance with the AQI program on a port-by-port basis. Lastly, CBP has created new agricultural liaison positions at the field office level to advise regional port directors on agricultural issues. We have not assessed the implementation and effectiveness of these actions.
- Our survey of CBP agriculture specialists found that many believe the agriculture inspection mission has been compromised by the transfer. Although 86 percent of agriculture specialists reported feeling very well prepared or somewhat prepared for their duties, 59 and 60 percent of specialists answered that they were conducting fewer inspections and interceptions, respectively, of prohibited agricultural items since the transfer. When asked what is going well with respect to their work, agriculture specialists identified working relationships (18 percent), nothing (13 percent), salary and benefits (10 percent), training (10 percent), and general job satisfaction (6 percent). When asked what areas should be changed or improved, they identified working relationships (29 percent), priority given to the agriculture mission (29 percent), problems with the CBP chain of command (28 percent), training (19 percent), and inadequate equipment and supplies (17 percent). Agriculture specialists typically provided more examples or went into greater detail in answering these questions and submitted 185 pages of comments about what needs improvement—roughly four times more than their responses about what was going well. Based on private

[1] GAO, *Homeland Security: Management and Coordination Problems Increase the Vulnerability of U.S. Agriculture to Foreign Pests and Disease,* GAO–06–644 (Washington, D.C.: May 19, 2006).

[2] Specifically, we drew a random probability sample of 831 agriculture specialists from the approximately 1,800 specialists (current as of Oct. 14, 2005) in CBP. In general, strata were defined by the number of specialists at the respective ports. We conducted a web-based survey of all specialists in the sample. Each sampled specialist was subsequently weighted in the analysis to account statistically for all specialists in the population. Thus, the percentages given for each question or theme can be generalized to the entire population of CBP agriculture specialists and are estimates (at the 95 percent confidence level). We received a response rate of 76 percent.

[3] GAO, *Homeland Security: Agriculture Specialists' Views of Their Work Experiences After Transfer to DHS*, GAO–07–209R (Washington, D.C.: Nov. 14, 2006).

and public sector experiences with mergers, these morale issues are not unexpected because employees often worry about their place in the new organization.

- CBP must address several management challenges to reduce the vulnerability of U.S. agriculture to foreign pests and diseases. Specifically, as of our May 2006 report, CBP had not used available inspection and interception data to evaluate the effectiveness of the AQI program, although the agency told us it has subsequently taken some steps—such as publishing monthly reports on inspections, arrivals, and seizures of various prohibited items, including agricultural quarantine material and pest interceptions—that we have not evaluated. Moreover, at the time of our May 2006 review, CBP had not developed sufficient performance measures to manage and evaluate the AQI program. CBP's measures focused only on two pathways—the percentage of (1) international air passengers and (2) border vehicle passengers that comply with AQI regulations—by which foreign pests and diseases may enter the country, but did not consider other important pathways such as commercial aircraft, vessels, and truck cargo that may pose a risk to U.S. agriculture. In early 2007, a joint team from CBP and APHIS agreed to implement additional performance measures for AQI activities in all major pathways at ports of entry. Some of these measures were implemented in Fiscal Year 2007; others are planned for Fiscal Years 2008 and 2009. However, we have not evaluated the adequacy of these new measures for assessing the AQI program's effectiveness at intercepting foreign pests and diseases. In addition, CBP has allowed the agriculture canine program to deteriorate, with fewer canine teams and declining proficiency scores. In the past, these dogs have been a key tool for targeting passengers and cargo for detailed inspections. Lastly, CBP does not have the agriculture specialists needed to perform its AQI responsibilities based on its staffing model. Specifically, as of mid-August 2007, CBP said it had 2,116 agriculture specialists on staff, compared to 3,154 specialists needed, according to the model.

CBP and APHIS Have Taken Steps Intended to Strengthen the AQI Program

CBP and APHIS have taken four major steps intended to strengthen the AQI program since the transfer of responsibilities following passage of the Homeland Security Act of 2002. To date, we have not done work to assess the implementation and effectiveness of these actions.

First, CBP and APHIS expanded the hours of training on agricultural issues for CBP officers, whose primary duty is customs and immigration inspection, and for CBP agriculture specialists, whose primary duty is agricultural inspection. Specifically, newly hired CBP officers receive 16 hours of training on agricultural issues, whereas before the transfer to CBP, customs inspectors received 4 hours of agricultural training, and immigration inspectors received 2 hours. CBP and APHIS also expanded agriculture training for CBP officers at their respective ports of entry to help them make better-informed decisions on agricultural items at high-volume border traffic areas. Additionally, CBP and APHIS have standardized the in-port training program and have developed a national standard for agriculture specialists with a checklist of activities for agriculture specialists to master. These activities are structured into an 8 week module on passenger inspection procedures and a 10 week module on cargo inspection procedures. Based on our survey of agriculture specialists, we estimate that 75 percent of specialists hired by CBP believe that they received sufficient training (on the job and at the Professional Development Center) to enable them to perform their agriculture inspection duties.[4]

Second, CBP and APHIS have taken steps designed to better target shipments and passengers that potentially present a high risk to U.S. agriculture. Specifically, some CBP agriculture specialists received training and were given access to CBP's Automated Targeting System, a computer system that, among other things, is designed to focus limited inspection resources on higher-risk passengers and cargo and facilitate expedited clearance or entry for low-risk passengers and cargo. This system gives agriculture specialists detailed information from cargo manifests and other documents that shipping companies are required to submit before the ship arrives in a port to help them select high-risk cargo for inspection. CBP and APHIS headquarters personnel also use this information to identify companies that had previously violated U.S. quarantine laws. For example, according to a senior APHIS official, the two agencies used this system to help identify companies that have used seafood containers to smuggle uncooked poultry products from Asia, which are currently banned because of concerns over avian influenza.

[4] The full survey results are available in *Appendix II* of GAO–06–644.

Third, CBP and APHIS established a formal assessment process intended to ensure that ports of entry carry out agricultural inspections in accordance with the agricultural quarantine inspection program's regulations, policies, and procedures. The process, called Joint Agency Quality Assurance Reviews, covers topics such as (1) CBP coordination with other Federal agencies; (2) agriculture specialist training; (3) specialist access to regulatory manuals; and (4) specialist adherence to processes for handling violations at the port, inspecting passenger baggage and vehicles, and intercepting, seizing, and disposing of confiscated materials. The reviews address best practices and deficiencies at each port and make recommendations for corrective actions to be implemented within 6 weeks. For example, regarding best practices, a review of two ports found that the placement of CBP, APHIS, and Food and Drug Administration staff in the same facility enhanced their coordination. This review also lauded their targeting of non-agricultural products that are packed with materials, such as wood, that may harbor pests or diseases that could pose a risk to U.S. agriculture. Regarding deficiencies, this review found that the number of CBP agriculture specialists in each port was insufficient, and that the specialists at one of the ports were conducting superficial inspections of commodities that should have been inspected more intensely. According to CBP, the agency took actions to correct these deficiencies, although we have not evaluated those actions. In September 2007, CBP said that the joint review team had conducted 13 reviews in Fiscal Years 2004 through 2006, and seven reviews were completed or underway for Fiscal Year 2007. Seven additional reviews are planned for Fiscal Year 2008.

Last, in May 2005, CBP required each director in its 20 district field offices to appoint an agriculture liaison, with background and experience as an agriculture specialist, to provide CBP field office directors with agriculture-related input for operational decisions and agriculture specialists with senior-level leadership. The agriculture liaisons are to, among other things, advise the director of the field office on agricultural functions; provide oversight for data management, statistical analysis, and risk management; and coordinate agriculture inspection alerts. CBP officials told us that all district field offices had established the liaison position as of January 2006. Since the creation of the position, agriculture liaisons have facilitated the dissemination of urgent alerts from APHIS to CBP. They also provide information back to APHIS. For example, following a large increase in the discovery of plant pests at a port in November 2005, the designated agriculture liaison sent notice to APHIS, which then issued alerts to other ports. APHIS and CBP subsequently identified this agriculture liaison as a contact for providing technical advice for inspecting and identifying this type of plant pest.

Many Agriculture Specialists Believe That the Agricultural Mission Has Been Compromised

In Fiscal Year 2006, we surveyed a representative sample of CBP agriculture specialists regarding their experiences and opinions since the transfer of the AQI program from APHIS to CBP.[5] In general, the views expressed by these specialists indicate that they believe that the agricultural inspection mission has been compromised. We note that morale issues are not unexpected in a merger such as the integration of the AQI mission and staff into CBP's primary anti-terrorism mission. GAO has previously reported on lessons learned from major private and public sector experiences with mergers that DHS could use when combining its various components into a unified Department.[6] Among other things, productivity and effectiveness often decline in the period following a merger, in part because employees often worry about their place in the new organization.

Nonetheless, based on the survey results, while 86 percent of specialists reported feeling very well or somewhat prepared for their duties as an agriculture specialist, many believed that the agriculture mission had been compromised by the transfer. Specifically:

- 59 percent of experienced specialists indicated that they are doing either somewhat or many fewer inspections since the transfer, and 60 percent indicated that they are doing somewhat or many fewer interceptions.
- 63 percent of agriculture specialists believed their port did not have enough specialists to carry out agriculture-related duties.

[5] The survey was available from November 15, 2005, until January 9, 2006.

[6] GAO, *Mergers and Transformation: Lessons Learned for a Department of Homeland Security and Other Federal Agencies*, GAO–03–293SP (Washington, D.C.: Nov. 14, 2002) and *Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations,* GAO–03–669 (Washington, D.C.: July 2, 2003).

- Agriculture specialists reported that they spent 62 percent of their time on agriculture inspections, whereas 35 percent of their time was spent on non-agricultural functions such as customs and immigration inspections.

In addition, there appear to be morale issues based on the responses to two open-ended questions: (1) What is going well with respect to your work as an agriculture specialist? and (2) What would you like to see changed or improved with respect to your work as an agriculture specialist? Notably, the question about what needs improving generated a total of 185 pages of comments—roughly four times more than that generated by the responses to our question on what was going well. Further, "Nothing is going well" was the second-most frequent response to the question on what is going well.

We identified common themes in the agriculture specialists' responses to our first question about what is going well with respect to their work as an agriculture specialist. The five most common themes were:

- *Working relationships.* An estimated 18 percent of agriculture specialists cited the working relationship among agriculture specialists and CBP officers and management as positive. These specialists cited increasing respect and interest by non-specialists in the agriculture mission, and the attentiveness of CBP management to agriculture specialists' concerns.
- *Nothing.* An estimated 13 percent of agriculture specialists reported that nothing is going well with their work. For example, some respondents noted that the agriculture inspection mission has been compromised under CBP and that agriculture specialists are no longer important or respected by management.
- *Salary and Benefits.* An estimated 10 percent of agriculture specialists expressed positive comments about their salary and benefits, with some citing increased pay under CBP, a flexible work schedule, increased overtime pay, and retirement benefits as reasons for their views.
- *Training.* An estimated 8 percent of agriculture specialists identified elements of classroom and on-the-job training as going well. Some observed that new hires are well trained and that agriculture-related classroom training at the Professional Development Center in Frederick, Maryland, is adequate for their duties.
- *General job satisfaction.* An estimated 6 percent of agriculture specialists were generally satisfied with their jobs, reporting, among other things, that they were satisfied in their working relationships with CBP management and co-workers and that they believed in the importance of their work in protecting U.S. agriculture from foreign pests and diseases.

In contrast, agriculture specialists wrote nearly four times as much in response to our question about what they would like to see changed or improved with respect to their work as agriculture specialists. In addition, larger proportions of specialists identified each of the top five themes.

- Declining mission. An estimated 29 percent of agriculture specialists were concerned that the agriculture mission is declining because CBP has not given it adequate priority. Some respondents cited the increase in the number of cargo items and flights that are not inspected because of staff shortages, scheduling decisions by CBP port management, and the release of prohibited or restricted products by CBP officers.
- *Working relationships.* An estimated 29 percent of the specialists expressed concern about their working relationships with CBP officers and management. Some wrote that CBP officers at their ports view the agriculture mission as less important than CBP's other priorities, such as counter-narcotics and anti-terrorism activities. Others noted that CBP management is not interested in, and does not support, agriculture inspections.
- *CBP chain of command.* An estimated 28 percent of agriculture specialists identified problems with the CBP chain of command that impede timely actions involving high-risk interceptions, such as a lack of managers with an agriculture background and the agency's rigid chain of command structure. For example, agriculture specialists wrote that requests for information from USDA pest identification experts must be passed up the CBP chain of command before they can be conveyed to USDA.
- *Training.* An estimated 19 percent of agriculture specialists believed that training in the classroom and on the job is inadequate. For example, some respondents expressed concern about a lack of courses on DHS's targeting and database systems, which some agriculture specialists use to target high-risk shipments

and passengers. Also, some agriculture specialists wrote that on-the-job training at their ports is poor, and that CBP officers do not have adequate agriculture training to recognize when to refer items to agriculture specialists for inspection.

- *Lack of equipment.* An estimated 17 percent of agriculture specialists were concerned about a lack of equipment and supplies. Some respondents wrote that the process for purchasing items under CBP results in delays in acquiring supplies and that there is a shortage of agriculture-specific supplies, such as vials, gloves, and laboratory equipment.

These themes are consistent with responses to relevant multiple-choice questions in the survey. For example, in response to one of these questions, 61 percent of agriculture specialists believed their work was not respected by CBP officers, and 64 percent believed their work was not respected by CBP management.

Management Problems May Leave U.S. Agriculture Vulnerable to Foreign Pests and Diseases

Although CBP and APHIS have taken a number of actions intended to strengthen the AQI program since its transfer to CBP, several management problems remain that may leave U.S. agriculture vulnerable to foreign pests and diseases. Most importantly, CBP has not used available data to evaluate the effectiveness of the program. These data are especially important in light of many agriculture specialists' views that the agricultural mission has been compromised and can help CBP determine necessary actions to close any performance gaps. Moreover, at the time of our May 2006 review, CBP had not developed sufficient performance measures to manage and evaluate the AQI program, and the agency had allowed the agricultural canine program to deteriorate. Furthermore, based on its staffing model, CBP does not have the agriculture specialists needed to perform its AQI responsibilities.

CBP has not used available data to monitor changes in the frequency with which prohibited agricultural materials and reportable pests are intercepted during inspection activities. CBP agriculture specialists record monthly data in the Work Accomplishment Data System for each port of entry, including (1) arrivals of passengers and cargo to the United States via airplane, ship, or vehicle; (2) agricultural inspections of arriving passengers and cargo; and (3) inspection outcomes, i.e., seizures or detections of prohibited (quarantined) agricultural materials and reportable pests. As of our May 2006 report, CBP had not used these data to evaluate the effectiveness of the AQI program.

For example, our analysis of the data for the 42 months before and 31 months after the transfer of responsibilities from APHIS to CBP shows that average inspection and interception rates have changed significantly in some geographical regions of the United States, with rates increasing in some regions and decreasing in others. (*Appendixes I* and *II* provide more information on average inspection and interception rates before and after the transfer from APHIS to CBP.) Specifically, average inspection rates declined significantly in the Baltimore, Boston, Miami, and San Francisco district field offices, and in preclearance locations in Canada, the Caribbean, and Ireland. Inspection rates increased significantly in seven other districts—Buffalo, El Paso, Laredo, San Diego, Seattle, Tampa, and Tucson. In addition, the average rate of interceptions decreased significantly at ports in six district field offices—El Paso, New Orleans, New York, San Juan, Tampa, and Tucson—while average interception rates have increased significantly at ports in the Baltimore, Boston, Detroit, Portland, and Seattle districts.

Of particular note are three districts that have experienced a significant *increase* in their rate of inspections and a significant *decrease* in their interception rates since the transfer. Specifically, since the transfer, the Tampa, El Paso, and Tucson districts appear to be more efficient at inspecting (e.g., inspecting a greater proportion of arriving passengers or cargo) but less effective at interceptions (e.g., intercepting fewer prohibited agricultural items per inspection). Also of concern are three districts—San Juan, New Orleans, and New York—that are inspecting at about the same rate, but intercepting less, since the transfer.

When we showed the results of our analysis to senior CBP officials, they were unable to explain these changes or determine whether the current rates were appropriate relative to the risks, staffing levels, and staff expertise associated with individual districts or ports of entry. These officials also noted that CBP has had problems interpreting APHIS data reports because CBP lacked staff with expertise in agriculture and APHIS's data systems in some district offices. As of our May 2006 report, CBP had not yet completed or implemented its plan to add agriculture-related data to its system for monitoring customs inspections. However, in September 2007, CBP said it had taken steps to use these data to evaluate the program's effec-

tiveness. For example, CBP publishes a monthly report that includes analysis of efficiency inspections, arrivals, exams, and seizures of prohibited items, including agricultural quarantine material and pest interceptions, for each pathway. CBP also conducts a mid-year analysis of APHIS and CBP data to assess agricultural inspection efficiency at ports of entry. While these appear to be positive steps, we have not assessed their adequacy to measure the AQI program's effectiveness.

A second management problem for the AQI program is an incomplete set of performance measures to balance multiple responsibilities and demonstrate results. As of our May 2006 report, CBP had not developed and implemented its own performance measures for the program. Instead, according to CBP officials, CBP carried over two measures that APHIS had used to assess the AQI program before the transfer: the percentages of international air passengers and border vehicle passengers that comply with program regulations. However, these measures addressed only two pathways for agricultural pests, neglecting other pathways such as commercial aircraft, vessels, and truck cargo. Further, these performance measures did not provide information about changes in inspection and interception rates, which could help assess the efficiency and effectiveness of agriculture inspections in different regions of the country or at individual ports of entry. They also did not address the AQI program's expanded mission—to prevent agro-terrorism while facilitating the flow of legitimate trade and travel. In early 2007, a joint team from CBP and APHIS agreed to implement additional performance measures for AQI activities in all major pathways at ports of entry. Specifically, CBP said that in Fiscal Year 2007 it implemented measures for the percentages of land border, air, and maritime regulated cargo and shipments in compliance with AQI regulations. Furthermore, the agency plans to add additional performance measures such as percentage of passengers, vehicles, or mail in compliance in Fiscal Years 2008 and 2009. However, we have not evaluated the adequacy of these new performance measures for assessing the AQI program's effectiveness at intercepting foreign pests and diseases.

Third, the number and proficiency of canine teams decreased substantially between the time of the transfer, March 2003, and the time of our review, May 2006. In the past, these dogs have been a key tool for targeting passengers and cargo for detailed inspections. Specifically, APHIS had approximately 140 canine teams nationwide at the time of the transfer, but CBP had only 80 such teams at the time of our review. With regard to proficiency, 60 percent of the 43 agriculture canine teams tested by APHIS in 2005 failed proficiency tests. These tests require the dog to respond correctly in a controlled, simulated work environment and ensure that dogs are working effectively to catch potential prohibited agricultural material. In general, canine specialists we interviewed expressed concern that the proficiency of their dogs was deteriorating due to a lack of working time. That is, the dogs were sidelined while the specialists were assigned to other duties. In addition, based on our survey results, 46 percent of canine specialists said they were directed to perform duties outside their primary canine duties daily or several times a week. Furthermore, 65 percent of canine specialists indicated that they sometimes or never had funding for training supplies. Another major change to the canine program, following the transfer, was CBP's elimination of all canine management positions.

Finally, based on its staffing model, CBP lacks adequate numbers of agriculture specialists to accomplish the agricultural mission. The Homeland Security Act authorized the transfer of up to 3,200 AQI personnel from USDA to DHS. In March 2003, APHIS transferred a total of 1,871 agriculture specialist positions, including 317 vacancies, to CBP and distributed those positions across CBP's 20 district field offices, encompassing 139 ports of entry. Because of the vacancies, CBP lacked adequate numbers of agriculture specialists from the beginning and had little assurance that appropriate numbers of specialists were staffed at each port of entry. Although CBP has made some progress in hiring agriculture specialists since the transfer, we previously reported that CBP lacked a staffing model to ensure that more than 630 newly hired agriculture specialists were assigned to the ports with the greatest need, and to ensure that each port had at least some experienced specialists. Accordingly, in May 2006 we recommended that APHIS and CBP work together to develop a national staffing model to ensure that agriculture staffing levels at each port are sufficient. Subsequently, CBP developed a staffing model for its ports of entry and provided GAO with its results. Specifically, as of mid-August 2007, CBP said it had 2,116 agriculture specialists on staff, compared to 3,154 such specialists needed according to the model.

Conclusions

The global marketplace of agricultural trade and international travel has increased the number of pathways for the movement and introduction into the United States of foreign and invasive agricultural pests and diseases such as foot-and-

mouth disease and avian influenza. Given the importance of agriculture to the U.S. economy, ensuring the effectiveness of Federal programs to prevent accidental or deliberate introduction of potentially destructive organisms is critical. Accordingly, effective management of the AQI program is necessary to ensure that agriculture issues receive appropriate attention. Although we have reported that CBP and APHIS have taken steps to strengthen agricultural quarantine inspections, many agriculture specialists believe that the agricultural mission has been compromised. While morale issues, such as the ones we identified, are to be expected in the merger establishing DHS, CBP had not used key data to evaluate the program's effectiveness and could not explain significant increases and decreases in inspections and interceptions. In addition, CBP had not developed performance measures to demonstrate that it is balancing its multiple mission responsibilities, and it does not have sufficient agriculture specialists based on its staffing model. Until the integration of agriculture issues into CBP's overall anti-terrorism mission is more fully achieved, U.S. agriculture may be left vulnerable to the threat of foreign pests and diseases.

Mr. Chairman, this concludes my prepared statement. I would be happy to respond to any questions that you or Members of the Subcommittee may have at this time.

Contact and Staff Acknowledgments

Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. For further information about this testimony, please contact Lisa Shames at (202) 512–3841 or *shamesl@gao.gov*. Key contributors to this testimony were James Jones, Jr.; Assistant Director, and Terrance Horner, Jr.; Josey Ballenger; Kevin Bray; Chad M. Gorman; Lynn Musser; Omari Norman; Alison O'Neill; and Steve C. Rossman also made important contributions.

Appendix I: Average Inspection Rates Before and After the Transfer From APHIS to CBP

Table 1: Average Inspection Rates Before and After the Transfer From APHIS to CBP

District field office	Average inspection rate before (October 1999–February 2003)	Average inspection rate after (March 2003–September 2005)	Difference [a]	Statistical significance [b]
Atlanta	9.7	8.8	−0.9	No
Baltimore	18.2	10.0	−8.2	Yes
Boston	30.9	13.0	−17.9	Yes
Buffalo	0.1	0.5	0.3	Yes
Chicago	18.0	18.5	0.5	No
Detroit	3.1	2.9	−0.2	No
El Paso	2.9	4.4	1.5	Yes
Houston	13.2	12.1	−1.1	No
Laredo	7.7	8.8	1.1	Yes
Los Angeles	12.5	10.4	−2.1	No
Miami	35.8	23.1	−12.7	Yes
New Orleans	37.6	41.8	4.3	No
New York	12.0	11.8	−0.2	No
Preclearance [c]	7.8	3.4	−4.4	Yes
Portland	13.0	12.6	−0.4	No
San Diego	12.6	16.3	3.6	Yes
San Francisco	40.4	19.0	−21.4	Yes
San Juan	62.4	57.6	−4.8	No
Seattle	2.3	3.1	0.8	Yes
Tampa	19.6	30.7	11.1	Yes
Tucson	2.6	4.0	1.4	Yes

Source: GAO calculations of APHIS's Work Accomplishment Data System, Fiscal Years 2000 through 2005.

[a] Because of rounding, values in the difference column may not equal the difference between rounded inspection rates.

[b] Statistical significance for each field office was calculated at the 99.75 percent confidence level so that the confidence level of all 21 statistical significance outcomes, collectively, is about 95 percent.

[c] Preclearance inspections were conducted at 14 locations in Canada, the Caribbean, and Ireland. Individuals arriving in the U.S. from those locations did not undergo another inspection upon arrival in the United States. According to CBP, preclearance inspections were done only as a pilot and not as an ongoing program within the agency.

Table 2: Average Interception Rates Before and After the Transfer From APHIS to CBP

District field office	Average interception rate before (October 1999–February 2003)	Average interception rate after (March 2003–September 2005)	Difference [a]	Statistical significance [b]
Atlanta	10.7	11.5	0.8	No
Baltimore	7.6	10.4	2.8	Yes
Boston	3.9	12.4	8.5	Yes
Buffalo	15.4	30.2	14.8	No
Chicago	6.8	5.6	−1.3	No
Detroit	7.7	20.7	13.0	Yes
El Paso	9.4	5.7	−3.7	Yes
Houston	7.9	8.4	0.4	No
Laredo	4.4	3.9	−0.5	No
Los Angeles	7.4	8.7	1.3	No
Miami	5.3	5.8	0.4	No
New Orleans	5.9	3.5	−2.4	Yes
New York	18.1	10.2	−7.9	Yes
Preclearance [c]	10.1	24.4	14.2	Yes
Portland	9.6	14.9	5.3	Yes
San Diego	1.3	1.4	0.2	No
San Francisco	10.5	10.6	0.1	No
San Juan	6.1	3.5	−2.5	Yes
Seattle	30.1	46.5	16.4	Yes
Tampa	8.3	3.0	−5.2	Yes
Tucson	9.0	7.0	−2.0	Yes

Source: GAO calculations of APHIS's Work Accomplishment Data System, Fiscal Years 2000 through 2005.

[a] Because of rounding, values in the difference column may not equal the difference between rounded interception rates.

[b] Statistical significance for each field office was calculated at the 99.75 percent confidence level so that the confidence level of all 21 statistical significance outcomes, collectively, is about 95 percent.

[c] Preclearance inspections were conducted at 14 locations in Canada, the Caribbean, and Ireland. Individuals arriving in the United States from those locations did not undergo another inspection upon arrival in the United States. According to CBP, preclearance inspections were done only as a pilot and not as an ongoing program within the agency.

Related GAO Products

Department of Homeland Security: Progress Report on Implementation of Mission and Management Functions. GAO–07–1240T. Washington, D.C.: September 18, 2007.

Department of Homeland Security: Progress Report on Implementation of Mission and Management Functions. GAO–07–454. Washington, D.C.: August 17, 2007.

Customs Revenue: Customs and Border Protection Needs to Improve Workforce Planning and Accountability. GAO–07–529. Washington, D.C.: April 12, 2007.

Homeland Security: Agriculture Specialists' Views of Their Work Experiences after Transfer to DHS. GAO–07–209R. Washington, D.C.: November 14, 2006.

Invasive Forest Pests: Recent Infestations and Continued Vulnerabilities at Ports of Entry Place U.S. Forests at Risk. GAO–06–871T. Washington, D.C.: June 21, 2006.

Homeland Security: Management and Coordination Problems Increase the Vulnerability of U.S. Agriculture to Foreign Pests and Disease. GAO–06–644. Washington, D.C.: May 19, 2006.

Homeland Security: Much Is Being Done to Protect Agriculture from a Terrorist Attack, but Important Challenges Remain. GAO–05–214. Washington, D.C.: March 8, 2005.

Results-Oriented Cultures: Implementation Steps to Assist Mergers and Organizational Transformations. GAO–03–669. Washington, D.C.: July 2, 2003.

Mergers and Transformation: Lessons Learned for a Department of Homeland Security and Other Federal Agencies. GAO–03–293SP. Washington, D.C.: November 14, 2002.

Homeland Security: Critical Design and Implementation Issues. GAO–02–957T. Washington, D.C.: July 17, 2002.

The CHAIRMAN. Thank you, Ms. Shames. We will get to those questions in just a moment. I now would like to call on Mr. James Taylor, Deputy Inspector General for the Office of Inspector General, U.S. Department of Homeland Security to make your testimony, sir. Please proceed.

STATEMENT OF JAMES L. TAYLOR, DEPUTY INSPECTOR GENERAL AND ACTING ASSISTANT INSPECTOR GENERAL FOR AUDITS, OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY, WASHINGTON, D.C.; ACCOMPANIED BY KATHLEEN S. TIGHE, DEPUTY INSPECTOR GENERAL, OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, D.C.

Mr. TAYLOR. Thank you, Mr. Chairman. I am Jim Taylor. I am the Deputy Inspector General for Homeland Security, as well as currently serving as the Acting Assistant Inspector General for Audits for Homeland Security. We appreciate the opportunity to appear before you today to discuss our audit report on the United States Customs and Border Protection agriculture inspection activities, as well as other post-harvest work we performed. I say we because I am pleased to have with me today Ms. Kathleen Tighe, Deputy Inspector General of the Department of Agriculture. The report we will be discussing was a collaborative effort between the USDA–OIG and the Department of Homeland Security's Office of Inspector General. On March 1, 2003, functions of several border agencies, including the former U.S. Customs Service, the Immigration and Naturalization Service, and U.S. Department of Agriculture's Animal and Plant Health Inspection Services were transferred to CBP upon creation of DHS. CBP assumed responsibility for inspection of agricultural goods arriving in the United States at ports of entry. USDA retained responsibility for setting policies and procedures in areas such as agricultural inspections, data collection, and risk assessment.

In February 2005, DHS–OIG and USDA–OIG began a joint audit of the agriculture inspection activities transferred from USDA–APHIS to CBP. This audit assessed how well CBP communicated and cooperated with USDA on issues relating to policies and procedures, complied with established procedures for agriculture inspections of passengers and cargo, and tracked agriculture inspection activities. It also assessed the effectiveness of USDA in providing CBP with the necessary policy and procedural guidance to perform this critical function. Our audit was a broad-based effort that generally covered agricultural inspection activities from March 2003 to February 2005. We tested procedures and controls and observed inspection activities in areas such as agricultural quarantine inspection monitoring and Work Accomplishment Data Systems.

To accomplish the audit objectives, we conducted field work at CBP headquarters in Washington, and at ports located in Chicago, Detroit, Laredo, and Miami, Florida. The AQM, which is a risk assessment system that evaluates the effectiveness of inspection activities at both traditional and non-traditional pathways into the United States is one of the areas we specifically identified issues with. We found that CBP sampling did not meet requirements for 13 of 18 pathway activities at the four ports we reviewed. Further,

CBP supervisors did not sufficiently monitor AQIM sampling requirements at the port level to ensure sampling was performed as required and sampling results were reported correctly, which is critical in helping USDA predict potential future risks to agriculture from pests and diseases.

Second, we identified issues with the accuracy of CBP's Work Accomplishment Data System or WADS, which is used to track ports' agricultural inspection activities. All four ports we reviewed had WADS inspection activity errors. The errors included both under and over reporting of data needed to identify future agricultural risks. At the ports 107 of 148 WADS activity codes examined were reported incorrectly or lacked supporting documentation to allow verification. CBP had inadequate second party reviews of data input, a lack of sufficiently trained personnel, and port personnel misinterpreting APHIS instructions. Similar issues were previously reported by the USDA when it reviewed APHIS prior to the transition. At the time of our audit the agricultural inspection staffing patterns were based on the staffing model previously used by APHIS.

This model used WADS data to determine the staffing required for each inspection activity. Before the transition, USDA officials agreed with USDA–OIG that the existing staffing models were not well suited to determining staffing needs for cargo inspections. At the time of our audit CBP agricultural specialist staffing had decreased since the transition. CBP's agricultural inspection positions totaled 2,417 including vacancies with 2,071 on board as of June 2003. As of February 2005, agricultural staffing had decreased to 1,721 total on board, a 17 percent reduction. As of September of this year, the total number of agricultural specialists has increased to 2,142. In addition, CPB had not developed comprehensive performance measures to monitor the effectiveness of all its agriculture inspection activities.

CPB used two performance measures, one for international air passengers, and another for border vehicle passengers. However, agricultural inspections related to air, truck, mail, pedestrian, and maritime pathways did not have performance measures. In all, we made 10 recommendations to DHS and three to USDA to improve the efficiency and effectiveness of agricultural inspection activities. Management concurred with all the recommendations and has reported implementation of all but one. In addition to the work listed above, DHS–OIG has conducted other inspections and reviews relating to post-harvest food focused on prevention, protection, preparedness, and detection efforts. The Federal Government is charged with defending the food supply from international intentional attacks and natural hazards. While DHS is not the designated lead for a number of key activities in this area the Congress and the President assigned DHS many important food defense and critical infrastructure protection responsibilities.

Our report examined DHS activities related to post-harvest food and focuses on prevention, protection, preparedness, and detection efforts. Last, in 2005 we performed an assessment of the proposal to merge border protection and immigration and customs enforcement. The merger was proposed to place customs, immigration, and agricultural inspectors at ports of entry under a single chain of

command. It was an effort to integrate the seemingly common functions divided at the time among the three Departments. We made 14 recommendations to overcome the interagency coordination and integration challenges confronting CBP. While not making specific recommendations on agricultural activities our recommendations impacted policy affecting integration issues for all the legacy functions.

Mr. Chairman, this concludes my prepared statement, and we would be pleased to answer any questions you and the Committee Members may have.

[The prepared statement of Mr. Taylor follows:]

PREPARED STATEMENT OF JAMES L. TAYLOR, DEPUTY INSPECTOR GENERAL AND ACTING ASSISTANT INSPECTOR GENERAL FOR AUDITS, OFFICE OF INSPECTOR GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY, WASHINGTON, D.C.

Good morning, Mr. Chairman and Members of the Subcommittee:

We appreciate the opportunity to discuss our audit report on United States Customs and Border Protection's (CBP's) agriculture inspection activities at the border [1] and other work we performed in post-harvest areas. Our statement today focuses on these results. I am pleased to have with me here today Kathleen Tighe, Deputy Inspector General of the U.S. Department of Agriculture, Office of Inspector General (USDA–OIG). The report we will be discussing was a collaborative effort between the Department of Homeland Security Office of Inspector General (DHS–OIG) and USDA–OIG.

Background

On March 1, 2003, functions of several border agencies, including the former U.S. Customs Service, the Immigration and Naturalization Service (INS), and U.S. Department of Agriculture's Animal and Plant Health Inspection Service (USDA–APHIS), were transferred to CBP upon creation of DHS. CBP assumed responsibility for inspection of agricultural goods arriving in the United States at ports of entry. USDA–APHIS retained responsibility for setting policies and procedures in areas such as agricultural inspections, data collection, and risk assessments.

In February 2005, with the DHS–OIG serving as the lead, DHS–OIG and the USDA–OIG began a joint audit of the agriculture inspection activities transferred from USDA Animal and Plant Health Inspection Service (APHIS) to CBP. This audit assessed how well CBP communicated and cooperated with USDA on issues relating to agriculture inspection policies and procedures; complied with established procedures for agriculture inspections of passengers and cargo; and tracked agriculture inspection activities. It also assessed the effectiveness of USDA–APHIS in providing CBP with the necessary policy and procedural guidance to perform agriculture inspection activities.

Our audit was a broad-based effort that generally covered agricultural inspection activities from March 2003 to February 2005. We reviewed policies, procedures, and pertinent laws and regulations; interviewed CBP personnel; and reviewed documents and records. We tested procedures and controls, and observed inspection activities in areas such as Agricultural Quarantine Inspection Monitoring (AQIM) and the Work Accomplishment Data System (WADS). To accomplish the audit objectives, we conducted fieldwork at CBP headquarters in Washington, D.C., and at ports located in Chicago, Illinois; Detroit, Michigan; Laredo, Texas; and Miami, Florida. Areas of concern we identified included:

- *Agricultural Quarantine Inspection Monitoring*—CBP's Agricultural Quarantine Inspection Monitoring (AQIM) sampling did not meet sampling requirements for 13 of 18 pathway activities at the four ports we reviewed. Further, CBP supervisors did not sufficiently monitor AQIM sampling requirements at the port level to ensure sampling was performed as required and sampling results reported correctly. AQIM inspection results help USDA predict potential future risks to agriculture from pests and diseases.
- *Work Accomplishment Data System*—We identified issues with accuracy of CBP's Work Accomplishment Data System (WADS) used to track ports' agri-

[1] *Review of Customs and Border Protection Agriculture Inspection Activities* (OIG–07–32, February 2007).

culture inspection activities. All four ports we reviewed had WADS inspection activity errors. The errors included both under- and over-reporting of data needed to identify potential agriculture risks.

- *Staffing*—During our audit we found that CBP had not updated the USDA agriculture specialist staffing model to ensure staffing was sufficient and allocated in the most effective manner. As such, CBP had no assurance that the model addressed staffing needs and had the capability of adjusting to changes in workload, processing time, complexity, and threat levels.
- *Performance Measures*—CBP had not developed comprehensive performance measures to monitor the effectiveness of all its agriculture inspection activities. CBP used two performance measures for agriculture inspection activities—one for international air passengers and another for border vehicle passengers. However, agricultural inspections related to air, truck, mail, pedestrian, and maritime pathways did not have performance measures.

Agricultural Quarantine Inspection Monitoring

We identified issues of accuracy with AQIM at CBP. AQIM helps USDA predict potential future risks to agriculture from pests and diseases. AQIM is a USDA–APHIS risk-assessment system that evaluates the effectiveness of inspection activities in both traditional and nontraditional pathways into the United States. AQIM assesses the risk posed by agricultural pests approaching ports, and measures the effectiveness of the inspection program at mitigating that risk. AQIM at the ports of entry consists of daily or weekly random sampling and inspection of passenger baggage, vehicles, mail or cargo. The information obtained from this sampling provides USDA–APHIS with information on the potential future risks to the agriculture industry from pests and diseases. Based on the AQIM inspection results, USDA–APHIS develops an interception rate for the particular pathway, such as air passenger, air cargo, and mail; the higher the interception rate, the greater the risk.

AQIM is a statistically based system. CBP must provide USDA–APHIS with a sufficient number of results from inspections at each port to allow reliable risk assessments or to perform analyses that are beneficial to the ports in allocating their staffing resources. CBP's ability to better target its staffing resources to higher risk pathways may be limited if the required number of AQIM inspections is not performed and reported in a timely manner.

CBP's AQIM sampling (October–December 2004) did not meet sampling requirements for 13 of 18 pathway activities at four ports. For example, Chicago did not meet its AQIM sampling requirements for mail, air passengers, and air cargo. Laredo did not perform AQIM sampling for pedestrians for the 3 months (October–December 2004) reviewed. Detroit did not have supporting documentation to verify the air passengers sampling and did not take the required samples for truck cargo and border vehicles. Miami under-reported mail for 1 month and did not meet its sampling requirements for maritime-perishables, maritime tiles, and solid wood packing. USDA–OIG had similar issues with AQIM when it was with USDA–APHIS.[2]

Further, CBP supervisors did not sufficiently monitor AQIM sampling requirements at the port level to ensure samples were performed and reported correctly. During the course of our audit, CBP's Agriculture Programs and Liaison (APL) started follow-up action on AQIM and other data beginning the first quarter of FY 2005 to ensure the accuracy of statistical data. Prior to conducting our audit, in FY 2004, ports provided adequate results on only 53 of 153 AQIM activities. After APL started its follow-up actions, ports showed some improvement by reporting adequate results on 100 out of 153 AQIM activities.

In addition to taking an insufficient number of AQIM samples, there were also problems with the methodology used in sampling. For example, the AQIM plans developed in Chicago did not provide sufficient detailed instructions on how to select the samples. Moreover, for air cargo, the sample selection plan did not include the entire universe of perishable products, as defined in the current USDA–APHIS requirements. Instead, the sampling plan was limited to sampling vegetables from the Netherlands. Perishables that are not sampled as required increase the risk that the extent of pests and diseases in these perishables may not be detected or known.

Prior to our audit fieldwork, USDA–APHIS had broadened its coverage in certain nonagricultural items, such as solid wood packing materials and Italian tiles, which are known to carry pests. However, samples for other pathways, such as maritime freight containers and cargo-carrying vehicles, were generally limited to incoming

[2] Recommendation 4, page 14, USDA Report: *Animal and Plant Health Inspection Service Safeguards to Prevent Entry of Prohibited Pests and Diseases into the United States* (Report No. 33601–3–Ch, February 2003); USDA Report: *Assessment of APHIS*.

cargoes already known to contain items of agricultural interest. Since other cargoes and vehicles were not sampled, the AQIM process was unlikely to identify pests entering through these alternate pathways. As noted in a USDA–OIG 2003 audit report, even a limited number of AQIM inspections performed on nonagricultural cargoes could identify previously unknown pathways that should be monitored as part of CBP's agricultural inspection process. CBP and USDA–APHIS are currently working to address this issue by further broadening the scope of AQIM coverage to pathways that previously were not sampled.

In addition, USDA–APHIS had not developed an AQIM process for incoming rail cargo. USDA–OIG identified this as an issue in a previous report. Our 2007 audit report noted a previous USDA–OIG recommendation that USDA–APHIS develop and provide to CBP a system of risk assessment for rail cargo so that the degree of risk associated with this pathway can be determined. Although USDA–APHIS officials had agreed with the need for a risk assessment process, they cited operational difficulties, such as the inability to obtain cargo manifests on a timely basis, as a barrier to the development of a workable AQIM system.

In our 2007 report, we recommended that CBP provide adequate supervision and instructions to CBP personnel to ensure AQIM data samples are complete, properly taken, and accurately recorded. CBP concurred with our recommendation and reported that it issued a memorandum on December 1, 2006, to Directors of Field Operations (DFOs) reemphasizing the importance of AQIM guidelines to ensure daily AQIM samples are collected and all forms are completed. The DFOs also received a list of the AQIM required activities for Fiscal Year 2007.

USDA–APHIS officials reported that a pest risk assessment is being developed for rail shipments, and its completion is anticipated by June 30, 2008. APHIS officials also have provided plans to expand AQIM reviews to pathways that had previously not been covered.

Work Accomplishment Data System

We identified issues of accuracy with CBP's Work Accomplishment Data System (WADS) used to track ports' agriculture inspection activities. The WADS database includes a daily record of agriculture inspection and interception activity, broken down by pathway (e.g., maritime, airport, land border). WADS identifies and tracks inspections and interceptions at the ports using different program categories, as well as numerous codes to denote specific activities under each program category. For example, activity codes for one port included aircraft arrivals, air passengers, and crew subject to inspection, air baggage interceptions, air cargo inspections, and air cargo interceptions. Each port is required to collect, report, and transmit this data to USDA–APHIS. USDA–APHIS uses WADS data for setting risk management priorities and for staffing recommendations.

CBP and USDA–APHIS cannot fully rely on the WADS data, which can impair the agencies' ability to manage the agricultural inspection programs and assess the results of those operations. At the ports, 107 of 148 WADS activity codes examined were reported incorrectly or lacked supporting documentation to allow verification. CBP had inadequate second-party reviews of data input, a lack of sufficiently trained personnel, and port personnel misinterpreting USDA–APHIS instructions. USDA–OIG identified similar issues with WADS when it reviewed USDA–APHIS.[3]

All four ports we reviewed had WADS inspection activity errors. The reporting errors included both under- and over-reporting of data. For example, one port over-reported the number of agriculture inspections for passengers in buses by 39,869 or 63 percent. The same port reported 102,600 inspections for bus passengers while the source documents showed only 62,731 passengers were inspected. Another port's rail pathway inspection and pest interception data were partially double-counted, causing overstatements of 98 percent for both activities (9,661 reported *versus* 4,877 actual for rail pathway and 172 reported *versus* 87 actual for pest interceptions).

Three ports also lacked documentation needed to verify 14 WADS inspection activity codes. For example, one port did not keep complete and accurate source records for the codes. Records were not always available for review purposes since some ports retained documents while others did not.

WADS data was inaccurate for several reasons. CBP personnel cited a lack of staff adequately trained in WADS input procedures. Also, the WADS User's Guide did not specify the type or extent of secondary reviews that were to be performed. These reviews were not always adequate to ensure the accuracy of WADS data. In some instances, CBP port personnel did not report certain items in accordance with

[3] Recommendation 24, page 53, USDA Report: *Animal and Plant Health Inspection Service Safeguards to Prevent Entry of Prohibited Pests and Diseases into the United States* (Report No. 33601–3–Ch, February 2003); USDA Report: *Assessment of APHIS*.

procedures outlined in USDA–APHIS WADS manuals. For example, at one port, reportable and non-reportable pests for certain pathways were recorded as a single line item rather than separate items as required. Without accurate data, USDA–APHIS would not be able to set risk management priorities and make staffing recommendations effectively.

As with AQIM, during the course of conducting our fieldwork, CBP's Agriculture Programs and Liaison (APL) started follow-up action on WADS and other data beginning the first quarter of Fiscal Year 2005 to ensure the accuracy of statistical data. APL followed up with all four field offices of the ports we visited and identified as having provided inadequate results.

We recommended in our 2007 report that CBP provide adequate instructions, resources, training, and supervision to CBP personnel to ensure WADS data are accurately compiled and entered in the computer system, and related records are properly retained. When needed, CBP should obtain the assistance of USDA–APHIS for training and guidance on WADS data.

CBP concurred with our recommendation and, in a subsequent response to the report, outlined steps they have taken to address this issue. For example, CBP reported that its CBP–USDA Data Analysis Team for Evaluating Risk meets quarterly to review and address issues with data quality concerning WADS, PPQ–280, and AQIM data. CBP's Office of Field Operations, Field and Resource Management, is developing routines in the Operations Management Report Data Warehouse to address data quality and integrity issues.

Further, training materials, user guides, and instructions for WADS and PPQ–280 will be available for field personnel. Field and Resource Management's Strategic Planning Division has established a Data Integrity Working Group composed of Headquarters and field representatives who have responsibility to ensure quality controls are developed and implemented in the field and port offices.

Staffing

During our audit we found that CBP had not updated the agriculture specialist staffing model to ensure staffing was sufficient and allocated in the most effective manner. USDA–OIG had identified this as an issue with USDA–APHIS. CBP headquarters personnel determined the number of agriculture inspectional positions nationwide and the number to be allocated to each field manager. The field managers determine staffing placement within the ports. CBP staffing levels and patterns were based on the agriculture inspection staffing that existed at the time of transition and were not based on an up-to-date, comprehensive, nationwide plan, or assessment of risk.

At the time of our audit, the agriculture inspection staffing patterns were based on the existing USDA–APHIS staffing model. This model used WADS data to determine the staffing required for each inspection activity. Before the transition, USDA–APHIS officials agreed with USDA–OIG that the existing USDA–APHIS staffing models were not well suited to determining staffing needs for cargo inspections. Although CBP Headquarters officials indicated that they planned to create a new staffing model, they had not established a timeframe for completion.

At the time of our audit, CBP agriculture specialist staffing had decreased since the transition. The CBP's agriculture inspectional type positions totaled 2,417 (including vacancies) with 2,071 on board as of June 2003. As of February 2005, agriculture staffing had decreased to 1,721 total on board, a 17 percent reduction. As of September 1, 2007, the total number of Agriculture Specialists was 2,142.

We recommended in our 2007 report that CBP develop a staffing model and a comprehensive nationwide plan for agriculture specialist staffing. In response, CBP's Office of Field Operations reported that it has developed an optimal staffing allocation model for CBP Officers (CBPOs) and CBP Agriculture Specialists (CBPAS) at ports of entry. The first phase of the model, focusing on CBPO-Air Passenger Processing, has been completed and approved by CBP Management. The second phase, to include the remaining components in air, land and sea, as well as the CBPAS component, also has been completed and is awaiting CBP Management approval. This model will be used as a decision support tool and national guide for future allocation of resources. The model addresses staffing needs and has the capability of adjusting to changes in workload, processing time, complexity and threat levels.

Performance Measures

CBP had not developed comprehensive performance measures to monitor the effectiveness of all its agriculture inspection activities. CBP used two performance measures for agriculture inspection activities—one for international air passengers and another for border vehicle passengers. These current performance measures are

the same ones USDA previously used. A number of CBP agriculture inspection activities, such as those for air and truck cargo, mail, pedestrians, and maritime pathways, did not have performance measures. USDA–OIG had identified this as an issue with USDA–APHIS.

We recommended in our 2007 report that CBP ensure that a comprehensive set of performance measures is developed to monitor the efficiency and effectiveness of all agriculture inspection activities. CBP concurred with our recommendation and reported that it initiated two new performance measures for measuring the agriculture mission: (1) number of pest interceptions at ports of entry, and (2) number of quarantine material interceptions seized at ports of entry. These measures were shared with USDA prior to implementation. The new measures facilitate USDA's ability to conduct and provide pest risk assessments. This represents a good first step and CBP needs to continue to examine its performance measures to ensure all agriculture inspection activities are represented.

I have highlighted our office's work in the area of CBP agriculture inspection activities. Previously, USDA–OIG issued two reports[4] on agriculture inspection activities, prior to the transfer of the inspection activity to DHS, which had numerous recommendations that addressed agriculture activities, and which are now a part of CBP. Our review was to determine if problems that existed when agriculture inspection activities were in USDA–APHIS still existed after their transfer to CBP. Further, we coordinated with the Government Accountability Office (GAO) during the planning stages of this audit and it was decided that audit work in the areas of (1) Training of Agricultural Inspectors, and (2) use of APHIS User Fees would be performed solely by GAO, the results of which I believe they will be discussing here today.

Other DHS–OIG Inspections and Reviews

In addition to the work above, DHS–OIG conducted other inspections and reviews in the post-harvest area. We examined DHS activities relating to post-harvest food, and focused on prevention, protection, preparedness, and detection efforts.[5] The Federal Government is charged with defending the food supply from intentional attacks and natural hazards. While DHS is not the designated lead for a number of key activities in this area, the Congress and the President have assigned DHS many important food defense and critical infrastructure protection responsibilities. Our report examined DHS activities relating to post-harvest food, and focuses on prevention, protection, preparedness, and detection efforts.

We observed four main limitations in DHS' related efforts:

- First, DHS could improve internal coordination of its related efforts. DHS food sector activities are distributed across multiple organizational units, and similar program thrusts have emerged. Consolidated management attention is required to reduce the risk of duplication and promote collaboration.
- Second, DHS needs to improve its engagement of public and private food sector partners. Food sector partners were frustrated by the quality and extent of DHS external coordination in sector governance and information sharing; mapping; and research, development, education, and training.
- Third, DHS could do more to prioritize resources and activities based on risk. DHS units have used different approaches to prioritizing food sector activities in the context of their larger missions and have not developed a common perspective on food sector risk.
- Finally, DHS must fully discharge its food sector responsibilities. DHS has satisfied basic requirements in most, but not all, areas of responsibility. The Department has not submitted an integrated Federal food defense budget plan or clearly established assessment standards for use in the food sector.

Our report contained 16 recommendations to enhance DHS' performance and improve the security posture of the food supply. DHS concurred with 12 of these recommendations.

We conducted a review of DHS' BioWatch program,[6] an early warning system designed to detect the release of biological agents in the air through a comprehensive protocol of monitoring and laboratory analysis. DHS, through the Science and Tech-

[4] USDA Report: *Animal and Plant Health Inspection Service Safeguards to Prevent Entry of Prohibited Pests and Diseases into the United States* (Report No. 33601–3–Ch, February 2003); USDA Report: *Assessment of APHIS and FSIS Inspection Activities to Prevent the Entry of Foot and Mouth Disease Into the United States* (Report No. 50601–0003–CH, July 2001).

[5] DHS report: *The Department of Homeland Security's Role in Food Defense and Critical Infrastructure Protection* (OIG–07–33, February 2007).

[6] *DHS' Management of BioWatch Program* (OIG–07–22, January 2007).

nology Directorate, provides management oversight to this program. We determined the extent BioWatch program management implemented proper controls for coordinating responsibilities and funding with its partner agencies.

The BioWatch program operates in various cities, but DHS still needs to design and implement management controls to follow up on deficiencies in field and laboratory operations. Further, DHS has not properly enforced or monitored partner agency reporting needed to coordinate BioWatch. The need to enhance management controls over BioWatch exposes the program to possible mismanagement of funds and could jeopardize DHS' ability to detect biological agents and protect the populace of the United States.

We recommended that the Under Secretary for Science and Technology: (1) address and rectify after-action and previous field operation findings; (2) enforce Federal partners' requirements, including monthly and quarterly reporting requirements; and (3) closely review and monitor required reports submitted by its Federal partners to determine and resolve discrepancies.

We also conducted a review of the DHS National Bio-Surveillance Integration System Program.[7] Recognizing a gap in national biological threat analysis, in 2004, the President directed DHS to consolidate Federal agency bio-surveillance data in one system. In response, DHS began efforts to develop the National Bio-Surveillance Integration System (NBIS), the nation's first system capable of providing comprehensive and integrated bio-surveillance and situational awareness. Our audit objectives were to determine (1) the efficacy of DHS' plans, policies, and procedures for collaborating with other Federal, state, and local stakeholders to gather and share bio-surveillance information via NBIS; and (2) whether the system will meet user needs, information security requirements, and privacy policies and procedures.

We found that DHS has not provided consistent leadership and staff support to the NBIS program. As a result of the repeated program transitions and staffing shortfalls, planning documentation and guidance have not been finalized, stakeholder communication and coordination activities have been ineffective, and program management of contractors has been lacking. We recommended that the Assistant Secretary and Chief Medical Officer of the Office of Health Affairs ensure that NBIS program management apply adequate resources to support program management activities; develop a program plan, concept of operations, and communications plan; and perform an information needs assessment.

Last, in 2005, we performed an assessment of a proposal to merge Border Protection with Immigration and Customs Enforcement.[8] The merger was initiated to place customs, immigration, and agriculture inspectors at ports of entry under a single chain of command and was an effort to integrate the seemingly common functions divided at the time among three departments.

We undertook an examination of the history of the organizations, the roles assigned to them, and the degree to which they met their interrelated goals, in the process interviewing over 600 individuals from Border and Transportation Security, Immigration Custom Enforcement (ICE), and CBP in 10 cities and at 63 ICE and CBP facilities.

We made 14 recommendations to overcome the interagency coordination and integration challenges confronting ICE and CBP. While not making specific recommendations on agriculture activities, our recommendations impacted policy, affecting integration issues for all legacy agency functions (Immigration and Naturalization Services, Customs and USDA–APHIS) transitioned to CBP.

Mr. Chairman, this concludes my prepared statement. We would be happy to answer any questions that you or the Members may have.

The CHAIRMAN. Thank you, Mr. Taylor. The Chair would like to remind Members that they will be recognized for questioning in order of seniority for Members who were here at the start of the hearing. After that, Members will be recognized in order of arrival, and I appreciate the Members' understanding. We will now start the questioning, and I will begin. Mr. Jurich, in your testimony you state that transfer of the AQI function to CBP has been traumatic for the legacy field staff and the inspection staff voted basically with their feet. Can you describe the effect on performance of an

[7] *Better Management Needed for the National Bio-Surveillance Integration System Program* (OIG–07–61, July 2007).

[8] *An Assessment of the Proposal to Merge Border Protection with Immigration and Customs Enforcement* (OIG–06–04, November 2005).

organization when it suffers an exodus experience by the staff in this way, and can you draw a correlation between the lack of experienced staff and your observations of marked declines in interceptions?

Mr. JURICH. Mr. Chairman, I think the relationship with the correlation is obvious. I was told that almost every port of entry that I visited that the very best of the agricultural specialists and their supervisors had left. When I got there in 2005 and 2006 the staffs were basically halved, and I think it had three effects. One, you lost the productivity of the best people. They were the ones making the most interceptions. You also lost CBP having people in house that were the best to promote. That was a secondary effect. The effect on interceptions and inspections was obvious. It is just that the interceptions went dramatically down especially at the airports.

You also had legacy customs and immigration supervisors and chiefs making decisions that adversely affected the agricultural mission, and that caused an intense amount of grief and unhappiness and morale problems amongst the staff.

The CHAIRMAN. Thank you, sir. If I look at the testimony from all three of our witnesses who have presented so far today the only conclusion that I can make is that the process of border inspection is in a shambles. When you lose half your people the testimony is dramatic to me. Mr. Jurich, can you give us two or three concrete examples of things that you saw that were simply unacceptable?

Mr. JURICH. When the transfer occurred at many of the larger ports there was not a sufficient understanding amongst the managers and the first and second line supervisors from the other legacy agencies that took part in determining the role of the inspectors in protecting agriculture. They were the first line of defense for American agriculture in the country. I think that the mission was devalued by a majority of the supervisors and chiefs. They did not understand it, and basically they treated the staff as either garbage collectors or bug collectors and didn't understand what they were doing, serving a valuable part of the American agriculture impeding the insects and plant diseases from dramatically affecting Americans agricultural economy. That is about it.

The CHAIRMAN. Thank you. Ms. Shames, you state in your testimony that three districts, Tampa, El Paso, and Tucson experienced a significant increase in their rates of inspections, yet significant decreases in their interception rates. This is an alarming finding. It seems red lights were flashing but either no one was paying attention to the data or understanding its significance. Does this indicate a problem with the data in the reporting system or was CBP management simply ignoring the warning signals?

Ms. SHAMES. You are right, Mr. Chairman. We did find anomalies in the data that would cause alarms, and we thought required further analysis. CBP told us that they would not explain why interceptions were increasing or decreasing and likewise inspections were increasing or decreasing. So you are correct to identify that there are two issues: first, that they weren't using the data that they were collecting but there is an underlying issue that the data are reliable, and there may be some question about that as well.

The CHAIRMAN. Thank you. Mr. Taylor, you state in your testimony that there were serious accuracy problems with the Agriculture Quarantine Inspection Monitoring System. You further stated that CBP agreed with your recommendations and issued a December 1, 2006, memorandum reemphasizing the importance of the AQIM guidelines. Given its significance were you given the opportunity to review or comment on this memo?

Mr. TAYLOR. No, sir, we did not.

The CHAIRMAN. Thank you. Do any one of you wish to further elaborate at this time on your general observations? Specifically, my question is based on the fact that I believe that you probably saw things that you have not elucidated yet: Mr. Jurich, in particular, can you give us any example of what you saw where—you actually saw that pests got through the border. Was that something that you witnessed firsthand?

Mr. JURICH. I did not see any pests get into the border, but I was—what I had heard from some of the inspectors and most of the management is that the basic agricultural inspection function was devalued and it was subordinated to anti-terrorism, drugs, guns, money, intellectual property right concerns. On the part of CBP it is that agriculture stood firmly in last place by way of budgetary resources, manpower, equipment, supplies, and things like that. There are many troubling things about the review that are not mentioned in the testimony. For example, there was almost as much criticism by the younger officers who have recently gone through Frederick to the new officer training and who are looking to leave as soon as they got to the ports of entry. They didn't have the taint of APHIS experience and basically they were unhappy with their role and with the support they got from CBP and management.

At one port I visited in late 2006, as I stopped by the SITC office and talked with the SITC supervisor, APHIS Smuggling Interdiction and Trade Compliance, he had an announcement out for a GS–11 position, a safeguarding specialist or SITC inspector, and he said that out of the 15 applicants, 12 were from CBP, and it included two supervisors at CBP at the 12 level who were willing to take a downgrade to get out of the agency. This is very troubling because it calls into question everything that is done since 2003 to 2006 to help stem the exodus of their agricultural specialist personnel.

The CHAIRMAN. I totally agree, Mr. Jurich. Thank you for your testimony. Mr. Goodlatte, would you like to question our witnesses?

Mr. GOODLATTE. Yes. Thank you, Mr. Chairman. Let me ask all of our witnesses this question. Is the mission of safeguarding the United States from foreign pests and diseases being done as well by DHS as it was by the U.S. Department of Agriculture? Mr. Jurich?

Mr. JURICH. No, sir.

Mr. GOODLATTE. Ms. Shames.

Ms. SHAMES. Our work didn't look at that question specifically. It is clear now that there are management problems and morale issues that could affect the conduct of agricultural inspection at DHS. We didn't do a comparison with the DHS performance *versus* the USDA performance.

Mr. GOODLATTE. Do you have plans to go back and do that?

Ms. SHAMES. We could at Congressional request.

Mr. GOODLATTE. Mr. Taylor.

Mr. TAYLOR. We didn't look at that as well, sir. There are two answers I could give you. One is that if the over 50 recommendations that were made to APHIS and to CBP before, and after the transition, were followed then we think that they could make substantial progress in improving agricultural inspections, as well or better I don't know. The second part of the answer is that the data that we try to look at to compare activities before and after were not sufficient to come to any kind of a conclusion as to what was going on before the transition or after.

Mr. GOODLATTE. Thank you. Mr. Chairman, I am convinced by Mr. Jurich's one-word answer. However, if the Committee thinks that there is further doubt, I would join in making such a request to the GAO or to the DHS Inspector General's office that they do go back and do some comparative looks at what kind of personnel were available, the qualitative work that was done, the number of interceptions that were made during the time it was under USDA control and the time it has been under DHS control. It might be very useful information.

The CHAIRMAN. Mr. Goodlatte, I couldn't agree more. I will speak with the Chairman who has stepped out of the hearing to see if we can't coordinate a joint request to do exactly that because I am compelled by the testimony of Mr. Jurich as well. A simple no answer is very clear to me as well. Thank you.

Mr. GOODLATTE. Thank you, Mr. Chairman, I have some more questions. This Committee has raised questions about the commitment of pest and disease protection at the Department of Homeland Security since the original conceptual conversations about creating DHS. The June 2007 report of the APHIS–CBP joint task force on improved agriculture inspection is such a complete list of concerns we have raised that it could have been written by this Committee. Why shouldn't we just admit things have not worked out and return this function to the USDA where program managers will make it their first priority. Mr. Jurich.

Mr. JURICH. There are a few things that CBP has done that improved the performance of the agricultural mission. If you could take those back with you, I agree with you.

Mr. GOODLATTE. Thank you. Ms. Shames.

Ms. SHAMES. We did have a chance to look at the task force and the implementation plans that it prepared as well, and it acknowledges that the agricultural function has lost its significance when bumped up against anti-terrorism and drug interdiction priorities. We found what was positive with the implementation plans: that they sent tasks to be done; they had time frames; there were accountability offices; and also required reporting requirements. We feel that this at least lays a road map for further oversight and at least to measure any sort of progress or improvements that may be made on the part of DHS. If there is any criticism that could be made is that these implementation plans are 4 years too late, and should have been done at the time that the one look at the border looking at an integrated border security approach was starting to

be envisioned and to anticipate then that there would be these integration problems.

Mr. GOODLATTE. Thank you. Mr. Taylor, both the OIG and the GAO audits highlighted the need for DHS to develop a comprehensive set of performance measures to monitor the efficacy and effectiveness of the AQI program. Specifically with regard to the OIG recommendation the Department of Homeland Security concurred and indicated that a system had been put in place on October 1, 2006. Interestingly, I am told that the new Assistant Commissioner for Customs and Border Protection spoke to a meeting of the Association of State Departments of Agriculture last week stressing the need for his agency to develop systems to collect information and analytical data on pests and disease interceptions. Can you comment on this obvious contradiction?

Mr. TAYLOR. I cannot, sir. I am not aware of the comments that were made by the Assistant Commissioner.

Mr. GOODLATTE. Are you aware that such a system was put in place on October 1, 2006?

Mr. TAYLOR. We were told that it was, yes.

Mr. GOODLATTE. Have you confirmed that? Have you verified that it is operational?

Mr. TAYLOR. No, sir. We have not gone back to confirm.

Mr. GOODLATTE. I would add that to the list, Mr. Chairman.

The CHAIRMAN. I totally agree. Thank you.

Mr. GOODLATTE. Mr. Chairman, thank you very much.

The CHAIRMAN. Mr. Mahoney.

Mr. MAHONEY. Thank you, Mr. Chairman. And thanks to the panel for coming in today to talk about such an important issue. In my State of Florida we are being bombarded by one invasive species or disease a week, and greening, which is one of the issues is pushing the citrus industry to the brink of extinction. So this is a very important matter for all Floridians. And I would like to make an observation. It appears based upon the testimony that the focus or the preoccupation on the part of FEMA is with terrorism. And organizations like FEMA, which protect the lives of people post disaster have been mismanaged.

And thanks to Dave Paulison, a great Floridian, we have gotten some sanity back into that organization but there is still a question as to whether or not it has gotten to the right level to operate. Now we are talking about the same issue with agriculture, and it is very interesting to hear your testimony. I guess the first question I would like to ask everybody is if your testimony is based on observations or review over what period of time? Mr. Jurich?

Mr. JURICH. Late 2005 to late 2006.

Mr. MAHONEY. Okay. Ms. Shames?

Ms. SHAMES. We completed our audit work in early 2006, and our survey was as of January 2006.

Mr. MAHONEY. Okay. Mr. Taylor?

Mr. TAYLOR. The time period from March 2003 until February 2005.

Mr. MAHONEY. Okay. And I guess, Ms. Tighe, is that it?

Ms. TIGHE. Yes. We had——

Mr. MAHONEY. Working together?

Ms. TIGHE. We were working together, yes.

Mr. MAHONEY. It was a collaborative effort.

Ms. TIGHE. The same period as Mr. Taylor stated.

Mr. MAHONEY. Okay. So that gets us to basically through 2005 and clearly there is a concern as to the performance during that period of time. I would be interested in any observations. Has anything improved? Has there been any changes at DHS that have increased the performance of this organization in terms of being able to protect American agriculture? Mr. Jurich?

Mr. JURICH. They have introduced the AQI function to the electronic age utilizing a variety of electronic systems. It has improved their targeting capabilities both at the airports and with respect to cargo. They have a number of systems in place that help them with targeting people and cargo. That is a dramatic improvement. They also did something on discipline and conduct issues. APHIS was a little loose in the field, tolerated a lot more than CBP does. However, I think CBP is basically a draconian kind of organization, paramilitary, and it has destroyed the morale of the people by depriving them of a lot of their independence and authority that they had under APHIS supervision and management.

Mr. MAHONEY. Do you feel that there is still a morale problem within——

Mr. JURICH. Absolutely, absolutely.

Mr. MAHONEY. Ms. Shames?

Ms. SHAMES. CBP has taken some action in response to the recommendations that we made in our report. For example, they have increased the number of the K–9 teams. They are putting in place a more robust set of performance measures. They are also putting in place better mechanisms to insure that the user fees, that the monies are coming over from APHIS to USDA, but let me quickly add that we haven't evaluated these actions to see if they get to your point whether or not they contribute to improved performance.

Mr. MAHONEY. Mr. Taylor?

Mr. TAYLOR. Yes, sir. The CBP and USDA were provided 13 recommendations, and they accepted every recommendation, and they have informed us, and again we haven't gone back to follow up to make sure that they have actually completed all the actions. They reported to us that they have completed all but one of those activities, which would show at least management is taking it seriously and that APHIS and CBP are trying to jointly make this work.

Mr. MAHONEY. Thank you, Mr. Chairman. I yield back my time.

The CHAIRMAN. Thank you. Next we have Ms. Foxx.

Ms. FOXX. Thank you, Mr. Chairman. I would ask any of you to respond to this, but I am always curious as to how we have so much difficulty getting agencies to move on even simple issues. It has been brought to my attention that there is a problem with simply creating e-mail lists so that people are properly—what I hear constantly in these kind of hearings is the problems again about getting people to move on the simple kind of issues. You just said that CBP has taken the 13 recommendations, and they are going to be moving on them. But things like creating the e-mail list, I understand they didn't even have a good e-mail list to send out information to people. They couldn't verify whether their e-mail list was accurate for the agricultural specialists to get information out to

them. But are we getting them to really respond to things like correcting their e-mail list and saying, "Yes, we are doing this and verifying that that is happening." Tell me about that, please, the policy manual updates, getting that information out to people. Mr. Jurich.

Mr. JURICH. From testimony from the agricultural specialists themselves at the field level many of them were getting the policy mandates immediately via the electronic system, but they were coming from APHIS in Riverdale from the manual section right to the ports of entry and to the specialist directly. Where you had the alerts, manual changes or other things, policy directives going through from Riverdale to the Reagan Building in Washington, D.C. down to the district field offices to the ports there were a lot of problems. The specialists simply were not getting stuff in a timely fashion not within the chain of command. It is very structured, and it takes a long time for information to flow down.

Ms. FOXX. Is anything being done to clarify that so that it doesn't take a long time to get? I mean with our modern technology it is ridiculous that it takes a long time to get an e-mail through a chain of command. It seems to me that that ought to be done very quickly.

Mr. JURICH. It was obvious to me that the APHIS means of communication was far better than CBP's. What CBP has done to improve things, I don't know. I don't know given the chain of command and going from level to level will ever change the speed of delivery.

Ms. FOXX. And will you have any other recommendations on how to make that happen?

Mr. JURICH. I think with respect to the alerts, I think what they should do is what APHIS did; basically eliminate some of the midlevels and send the stuff immediately to the officers themselves. CBP is resistant to that, send it both to the officers and down the chain of command so that the intermediary levels have it but at least send it to the officers immediately.

Ms. FOXX. Could we get some response to whether that is going to happen or not?

The CHAIRMAN. Ms. Foxx, I think we absolutely deserve that response, and my observation to your questions, to Mr. Goodlatte's questions, to all of our questions so far is that it reminds me of an old *I Love Lucy* show where, "You got some 'splaining to do, Lucy." Mr. Etheridge.

Mr. ETHERIDGE. Thank you, Mr. Chairman. Let me thank you for being here, and I apologize for being in and out because I have two hearings going on at the same time. Mr. Jurich, let me thank you for the work you have done over the past year because it is important. And it is important information for us to know and for the American public to have. My question is this—and we heard some things we don't have and what we need—my question to you is what can we do in the near term to alleviate this situation and bring these inspections up to standard because we are just waiting for answers doesn't correct the problem. The problem is still out there and the American people want results, so what can we do to correct it in the near term because what we have been hearing today is quite large in scale.

Mr. JURICH. I will give you the answer that the majority of the field personnel gave me.

Mr. ETHERIDGE. Okay.

Mr. JURICH. And that is, one, remove the function and return it to USDA and to APHIS or remove the agricultural element from CBP and let it be a stand alone function under the Department of Homeland Security where they have their own leadership, their own management, their own supervisors, their own policies and procedures, and are basically not subordinated to other concerns.

Mr. ETHERIDGE. Thank you, sir. Ms. Shames, in your testimony you brought up a point about the whole employee management system and problems that arose in the transfer, and we just heard some comment on that as well. And I think we all understand if you move people from point A to point B especially after years somewhere else there tend to be problems. My question to you is from that standpoint what is the answer to this issue? How do we fix that problem very quickly to get the results we need to get, not for this Committee but for the American people?

Ms. SHAMES. I am sorry to say that there is really no quick answer to it, and what we had said, and what we are on record as saying, is that for a major change management initiative such as this, a huge merger such as this, then it can take at a minimum from 5 to 7 years. It is not to say that it shouldn't be monitored on a very frequent and regular basis. Certainly the employees are at the heart of any sort of merger and there ought to be communication and pulse surveys to make sure that their needs and concerns are addressed. But I think the constant monitoring of the implementation plans to basically make sure that the actions that are proposed are addressed and taken, and then to see if there is any improvement based on what they have laid out. But there is no quick solution for a merger along the lines of what happened here.

Mr. ETHERIDGE. But I think I am trying to get an answer of how to get the results we want. I understand the management and other pieces but productivity is also the issue of dealing with products coming and going. You are not saying yes about the 7 year issue.

Ms. SHAMES. No. That is something that is real-time and needs to be addressed, and unfortunately what private sector experience has shown is that there is a decline in productivity with a merger along these lines so this is very consistent with what you and others have predicted would happen in a merger along these lines.

Mr. ETHERIDGE. Thank you. Mr. Taylor, you have heard comment from everyone today. My question to you as it deals in this whole issue of more of a management issue, more of a funding issue. I know there isn't a simple answer but the facts are we have a new Department doing a new job and yet we are doing some of the same jobs, and the jobs have got to get done. What is your comment on this area?

Mr. TAYLOR. I think it is critical for the success of this mission, and it is an important mission, for the Department to ensure they are adequately funding, staffing, and training the activity. There is a combination of factors there that the Department and management has to address that we pointed out in our report. But the

funding issue is something that APHIS and CBP need to work closely together on to make sure that——

Mr. ETHERIDGE. Well, let me help narrow it down a little bit. Can you give us some sense of a schedule that you will use to follow up with the CBP to insure that corrective action is indeed in place and what a time line will be?

Mr. TAYLOR. Sure. In fiscal or calendar year 2008 we plan to follow up on the recommendations for——

Mr. ETHERIDGE. 2008 is a long year.

Mr. TAYLOR. Yes, sir.

Mr. ETHERIDGE. That is 12 months. Can you give us a time line a little tighter than that?

Mr. TAYLOR. At this time I cannot, sir, but I would be happy——

Mr. ETHERIDGE. Can you get back to us with it?

Mr. TAYLOR. Yes, sir, I can.

Mr. ETHERIDGE. Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. I am going to turn this over to Mr. Conaway, but just briefly did anyone do a review on funding sources?

Ms. SHAMES. Mr. Chairman, we did report on the user fees, and what we found was that APHIS was not giving CBP the user fee funding that covered all of the costs, the CBP could not depend on when it would receive the funding or how much it would receive. In fact, in two fiscal years there was a shortfall of $125 million. Now we understand that APHIS and CBP are working together to ensure more regular, consistent amount of transfer of funds but it is something that we reported on as a contributing factor.

The CHAIRMAN. That is one heck of a shortfall. Mr. Conaway.

Mr. CONAWAY. Thank you, Mr. Chairman. Thank you, folks, for being here. My private sector background was to be on the receiving end of a merger where I was in senior management of a small bank that was acquired by a big bank. We had huge problems that mirror what you have had there, but the issue is management and management attention. Can Ms. Shames or Mr. Taylor or someone give us an organization chart and point to the manager slot that failed to make the changes necessary to make sure that agriculture inspection maintained its proper priority in looking at things coming across the border. Can we find out where on the organization chart that failure occurred, and take some actions to decide what to do with those managers or at least begin now 4 years later to hold that layer of management specifically responsible for making sure that this works?

Ms. SHAMES. Our response would be that accountability starts with top leadership and cascades down.

Mr. CONAWAY. Exactly, but there is somewhere in the chain that broke down. I am guessing that the Secretary of Homeland Security said let us do this. Somewhere between his comment and the ground there is a break in the chain. Can you back track through the chain and find out where the emphasis on agricultural inspection became so limited that the mission has looked like it is failing?

Mr. JURICH. The management slot that failed was the management slot that never existed both at the district field offices and at the ports. There was no one in management in those areas at the district field office level or the port level to represent agriculture. A person with agricultural education, agricultural training, agricul-

tural experience, and that was a fault in setting up the system the way they did.

Mr. CONAWAY. There is a management layer above that person that should have done it. Let me ask another question. We sometimes learn from our failures. Have we been able to have or have we had outbreaks of food borne illnesses or pests or other things that we were able to trace back through the system to see where the inspection at the ports failed to catch that food borne illness or those pests? Are there circumstances where we actually learn from our mistakes?

Mr. JURICH. APHIS would be better prepared to answer that question.

Mr. CONAWAY. Have we—maybe we have not had any food borne illnesses or any pests that came through the borders. Maybe this thing is working the way it should.

Mr. JURICH. There are moths in San Francisco in the East Bay that are a blight.

Mr. CONAWAY. Have we been able to trace those back through the system to see where the inspection process failed to catch the moth or whatever?

Mr. JURICH. I can't answer that question.

Mr. CONAWAY. A lot of heads shaking around. Apparently not. Mr. Taylor.

Mr. TAYLOR. No, sir, we cannot identify any.

Mr. CONAWAY. Okay. Is that something that is unreasonable in terms of trying to make sure we inspect the way we are supposed to and improving those inspections, is it unreasonable to have in place a system that says if we let something sneak through how did that happen? Is that irrational?

Mr. TAYLOR. No, accountability is critical.

Mr. CONAWAY. Okay. And speaking of that, Mr. Taylor, someone has given AQI, which is an interesting acronym—I am on the Armed Services Committee, and I spend more time talking about Al-Qaeda and Iraq than I do agriculture quarantine so I had a bit of a jolt there when I looked at that. AQI was given a clean audit report and yet the recommendations seem to not support necessarily a clean audit report. Mr. Taylor, can you give us a quick 101 on what your audit standards are, what kind of audit—I am a CPA, but what kind of audit standards you are held to?

Mr. TAYLOR. Sure. We are held to the Federal financial audit standards provided by GAO. The CBP itself received a clean audit opinion. We did not look below at the fees themselves, the collection process, and separately opine on that. We did look at the fee collection process in terms of whether they were being properly accounted for and whether they were being properly collected, not of the policies in terms of how the amounts were determined. Customs and Border Protection is the only entity within DHS that has been receiving a clean audit opinion.

Mr. CONAWAY. Okay. So the collection of user fees and the accounting for that is being done well?

Mr. TAYLOR. We found no problems, no significant problems.

Mr. CONAWAY. Okay. All right. Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. Thank you for your questions, Mr. Conaway. It is clear from your questions and others that the conduct of this agency is just shameful. It is just very serious. Mr. Neugebauer.

Mr. NEUGEBAUER. I thank the Chairman. I want to go back to a little bit of a follow-up from the Chairman's question, but during the course of your individual investigations were any of you able to determine if all of the AQI funds currently being transferred to DHS are being solely used for AQI operational port inspections?

Mr. TAYLOR. We did not look at that in our joint review.

Mr. NEUGEBAUER. And I guess the question is it sounds like from your answer or the previous answer to the Chairman's question we did an operational review from the inspection process but we are not tracing the resources.

Mr. TAYLOR. We had coordinated with GAO. They were looking at the fee side of the program so we stayed with the operational side. We made a conscious decision not to look at the fee side because of the overlap.

Mr. NEUGEBAUER. Do you think the resources flowing to those particular—that is a part of the process to make sure that the job gets done, and if there aren't resources getting to the inspection process then you can't expect—have higher expectations of the inspection process, I wouldn't think.

Mr. TAYLOR. That is true, sir.

Mr. NEUGEBAUER. So that is probably something we probably need to do sooner rather than later?

Mr. TAYLOR. We have been discussing with the staff performing some reconciliation and trying to provide some information working with CBP.

Mr. NEUGEBAUER. And I think you probably already alluded to that but there is a lot of discussion going on here today about whether to return this to the old way. We already have made the transition to the new process. In your review as our colleague from Texas said, mergers are kind of like marriages. There are some things to work out. I would think it would break down into two different areas, the structural change and the cultural change. And in view of the deficiencies that you found, and they are fairly substantial, and I understand some of this is 2005 data and hopefully things are better today, but I just would be interested to hear from you how much of it was structural and how much of it was cultural that led to some of the deficiencies. Mr. Jurich, we will just start with you. We will just go down the line.

Mr. JURICH. I would not term it a cultural change. I would term it a cultural collision. I think it was about 50/50. Some of the structural changes that they made had an obvious deleterious effect upon the agricultural function. Not having agricultural managers present to help make decisions, replacing agricultural supervisors and chiefs with legacy immigration and legacy customs officials who knew nothing about APHIS or AQI policy and procedures. I think the compartmentalization that Customs and CBP has done over the past few years has had few good effects, but what it did is dramatically reduce the number of people at the airports and at the cargo examination sites who do the actual inspections, and consequently it resulted in a reduction of the number of clearances,

the number of inspections, and the number of interceptions, and that is the core of the agricultural mission at the ports of entry.

Mr. NEUGEBAUER. Ms. Shames.

Ms. SHAMES. I have to agree with Mr. Jurich that the cultural change was a huge factor in part of this, that the people issues need to be attended to, and it is important especially in a function like this where it is so dependent on keen inspections and interceptions that people are concerned about the transfer and concerned about how people see themselves in the new organization. And it is clear from our survey, which we can generalize to the whole agricultural specialist population where there were many severe issues, negative issues.

Mr. NEUGEBAUER. Mr. Taylor.

Mr. TAYLOR. I think the cultural issues make it very difficult to resolve the problems that occur when you try to bring something like this together. We looked at processes and the programs, the structure of the organizations in trying to properly report and properly track and properly staff. And we saw a lot of problems with this as those are more of the structural issues. But if you have significantly different cultures it makes it very difficult to resolve those problems, and that is a lot of what has been taking so long Mr. Neugebauer.

Ms. TIGHE. We certainly saw within APHIS based on our audit work just prior to the transition, the transfer to Customs, the same sort of structural and process issues that in fact we ended up reviewing with DHS–IG's office. We also did a look-see during the transition process at other issues going on, and noted some of—in general terms—the delays to fixing the structural issues caused by cultural problems. Things were just taking too long. I think some of that—as testimony is given here today—is understandable given the fact that you have two agencies coming together and things are going to slow down a bit. But they certainly led to delays over several years, and in dealing with many of the issues we pointed out in 2003. So I think it is really both.

Mr. NEUGEBAUER. I see my time has expired, Mr. Chairman. Thank you.

The CHAIRMAN. Thank you, Mr. Neugebauer. I would like to open this up to one more quick round of questions. We need to get our other panel up here, but I think there are a couple more questions that still need to be asked, and I would like to begin with that. I want to make a point in asking this question. Former Secretary Ann Veneman was from my district and a good friend, and we had a number of discussions with regard to the K–9 units, and she put a high priority on those K–9 units in the inspections when she was Secretary, feeling that that was something that was the front line of defense in many cases. We received testimony, and I believe it was Ms. Shames who said that there were formerly 140 units, K–9 units. That was reduced to 80. Now there are 92 but only 60 percent, was that correct, that testimony, that only 60 percent passed muster?

Ms. SHAMES. Right. And in 2005 there was a proficiency test, and only 60 percent of the K–9 teams were proficient. And what the K–9 inspectors told us is that because they were being pulled off of

direct K–9 inspection responsibilities their dogs were in effect sidelined and were losing some of their skills.

The CHAIRMAN. So basically what we have is an original mandate under Ms. Veneman's tenure where her priority and her focus was that we needed at least 140 K–9 units to do the job, and in effect what we have effectively are 30 units that are currently capable of meeting those needs. Is that a correct assumption?

Ms. SHAMES. Well, that test was done in 2005 so we can't project that the proficiency has stayed at that level since then. We did contact CBP to try to update the information when the hearing was called. They have increased the number of teams from the low that we reported from 80 to 90.

The CHAIRMAN. I gave them credit for 92 when I made the calculation for 30.

Ms. SHAMES. But we have done no further analysis to see if the teams are as proficient as they ought to be.

The CHAIRMAN. I am going to ask my colleagues to be able to ask further questions but I got to tell you what I have witnessed today is worse than I thought it was when we included in our bill to move the agency out of the Department. We have heard the testimony that there are simply cultural differences that preclude the new agency from working with the former inspectors. You have seen them voting with their feet. I want to give the panelists one further opportunity just to elaborate on any point that they may wish to present to the Committee that they haven't had an opportunity to do, so far. Mr. Jurich, do you want to make any observations?

Mr. JURICH. Let me relate one instance because I think it shows both what has gone well and what has gone dramatically wrong in the agency. In San Francisco, I believe last year or maybe the year before, an agricultural technician intercepted a box destined for southern California with citrus cuttings in it. The citrus cuttings were contaminated with canker. The technician turned the package and the citrus cuttings over to the agricultural specialist for resolution; "Look what I found, here it is." Once he saw what it was and could see that there was a problem with the cuttings, which were not enterable, much less they were also disguised. It didn't come in identified as citrus cuttings, it came in as something else. It was being smuggled into the country.

He went to his supervisor and said, "I seized these cuttings." And the answer, "I am telling you to get something done," and the supervisor's retort was, "Look, we are here to protect the country from acts of terrorism, what do you expect me to do?" He was not an agricultural supervisor. He was legacy Customs and Immigration. The agricultural specialist in this instance got on the phone and called APHIS. He called the SITC staff, Smuggling Interdiction and Trade Compliance, and informed them. They came right over, seized the items, and both CBP and APHIS worked together to resolve the issue. CBP got ICE involved and they actually prosecuted the person who was responsible for importing the cuttings. APHIS went out into the groves where there were other citrus trees and burnt them all because they too were contaminated.

What happened to the officer who made the seizure was he was told by his supervisor, "Never again are you to call SITC. You vio-

lated the chain of command." He also within a month was taken from the mail center and sent to the airport to work opening passenger baggage. He went from purgatory to hell.

The CHAIRMAN. Well, Mr. Jurich, I will tell you the person who did that should be fired, and we should as a Committee look into this even further. Anyone else? Mr. Goodlatte.

Mr. GOODLATTE. Thank you, Mr. Chairman, and this sort of follows on with the example that was just cited, but I would just like to give Mr. Jurich one more opportunity. You suggest that morale is deteriorating particularly among the legacy agricultural inspectors. This conclusion seems to be backed up the GAO's review. What is it about DHS' management of this program that is driving morale down among these highly dedicated and experienced civil servants?

Mr. JURICH. I think it is the cultural issue. APHIS was a regulatory agency. CBP is primarily an enforcement agency. APHIS has a scientific bent. CBP has a law enforcement bent. The APHIS staff work with hand lens, with flashlights, with microscopes. The CBP staff works with automatic pistols with glocks or whatever. There was at the larger ports a major rift between the staffs. They did not get along together. There were a lot of petty jealousies and a lot of bickering and a lot of, "You are bug collectors, bugs before drugs, drugs before bugs," and things like that, and that has continued to this day. It perhaps is a little better with the CBPOs coming out of FLETSI. You received a little bit of agricultural training—16 hours.

But it also has had one adverse effect, some of the agricultural specialists told me that CBPOs with 3 days of training think that they can make regulatory decisions about products they find without referring them to the ag folks which is again bad. But the cultural differences are immense. It is a chasm.

The CHAIRMAN. Thank you, Mr. Goodlatte. Mr. Mahoney.

Mr. MAHONEY. Thank you, Mr. Chairman. I know protecting American agriculture is not as sexy as going after Osama Bin Laden, and I appreciate again the testimony. It just seems to me that there is—and it is not for this Committee obviously but there are a lot of questions raised about the wisdom behind DHS, and as somebody prior to coming here, having been involved in well over 100 mergers and acquisitions, when something is started based on politics as opposed to mission driven objectives that in many cases you have a situation where you find yourself having an unclear idea of what the mission is and how things should work. And I guess the sense is that there may have been a mistake that the government made in trying to create this new agency with regards to agriculture, and we don't really know based on this testimony what the current status of that is today. I don't know how we would go about getting a real update on how well the agency is performing, CBP.

But my question for the panel is let us say we have come to the conclusion and that this was a terrible mistake and we need to undo it. Mr. Jurich, is this irreversible at this point in time? Is there a path back to where we were before we merged the functions into DHS?

Mr. JURICH. I think there is, but it would be difficult to wrench everybody back to USDA or to an independent agency, but I think that the mission of agriculture under CBP will never be primary, and that is the basic core of the matter. It is subordinate and it will always be so whether it be drugs, terrorists, illegal aliens, money laundering or gun smuggling.

Mr. MAHONEY. Ms. Shames, any thoughts on that in terms of doing this?

Ms. SHAMES. As Mr. Jurich suggested, there would be other merger issues to return AQI to USDA.

Mr. MAHONEY. Well, now I am going to get Ms. Tighe involved here. She is the expert on this. What are your thoughts representing the Department of Agriculture?

Ms. TIGHE. It is worth pointing out that there were certain issues in APHIS prior to the functions moving to DHS that made it a less than optimally run organization for purposes of doing effective border inspections. Based on the recommendations we have made that existed before the transition that are now being acted upon, things seem to be moving on a modest upward trend. Now the question is what would happen should the function move back then to APHIS. We still have to deal with them implementing the things they have told us they are going to implement.

Mr. MAHONEY. Thank you. Mr. Taylor, do you have a comment that you would like to make?

Mr. TAYLOR. I agree with Ms. Tighe on this. No matter which way you go the coordination requirements between CBP and APHIS do not go away. You can pull it back, but you still have a lot of the same issues you need to address.

Mr. MAHONEY. I yield back my time, Mr. Chairman.

The CHAIRMAN. Thank you. I have to make an observation at this point. When the United States engaged in the Manhattan project when we had our tails down because we were bombed at Pearl Harbor we didn't say that we couldn't get it done, we just got it done. And we are being invaded by other folks here—other things. We are invaded by pests. And this Committee is telling the bureaucracy out there whether they are listening or not that this is an important function, and it is time to get it done; and that is what seems to be a disconnect here. Mr. Neugebauer.

Mr. NEUGEBAUER. Well, I agree exactly. There has been a listing and whether it is a cultural problem or if it is a structural problem we have to fix that. We can't wait around to see if we are going to move it back—what are we going to do—but a lot of people don't realize that agriculture is a national security issue, and whether you want—one of my friends said whether it is sexy or not but it is a national security issue. How we feed America, making sure Americans have safe food, making sure that we have the agricultural infrastructure in place to be able to feed America, and if we have a disease or something that comes into this country and inflicts a substantial problem with American agriculture, we have got an issue.

And so I think the Chairman is exactly right and I appreciate Ranking Member Goodlatte's initiative early on in this process, but we have heard what the problem is. I think what we need to hear is pretty quickly how we are going to fix those problems, rectify

them. If we have people that feel like that is not my job, then we need to give them a new job or they need to go find a new job. But just to say we don't like this structure or we don't like this cultural arrangement is an unacceptable answer and not one that I think this Committee is willing to take. And so as we move forward, Mr. Chairman, I will be working right along side you and the Ranking Member and the Chairman of the full Committee. This is something we have to get right.

The CHAIRMAN. You are absolutely right, Mr. Neugebauer. I think we are unanimous in that observation. I want to direct the clerk, I don't know how to do this formally, but I would like the answer of Mr. Jurich to Mr. Mahoney's question highlighted in the record so that when we have the full Committee hearing in a couple weeks, I want that to be the start of where we begin that hearing because, frankly, what he said in answer to Mr. Mahoney's question in my mind summarizes the entire problem very well.

With that, thank you all for your testimony. Thank you for your work. Thank you for your honesty in trying to get to the bottom of this question. I would like to now call up our second panel. Have the witnesses approach their places at the table. We are going to start this hearing back up. I announced the recess would be until 12:20 and I intended to keep to that time line. So Mr. Mahoney is here, and we know that other Members will be coming back. I realize that Members have some significant challenges. We were actually preferring to put this hearing over until 1 p.m. but some of the witnesses have airplanes to catch, and we don't want to hold you up. You have been so gracious to be here. So we are going to take your testimony, start it. As the Members come in, we will acknowledge that they have ability to ask questions, and we will try to encourage everyone to get their say in, but we will go ahead and take the testimony at this time.

Let me formally introduce panel number two if I can find my information. Mr. Mahoney, you go ahead and introduce Mr. Bronson since you have made that request.

Mr. MAHONEY. Thank you, Mr. Chairman. It is a my pleasure to introduce to the Subcommittee Charles Bronson, Florida Commissioner of Agriculture, and a person who has a record of public service and goes back a little bit of ways. He is a fifth generation Floridian and traces his roots in agriculture back to 1635. I hope you were making money back then, Mr. Commissioner. But as Agriculture Commissioner he manages the largest state Department of Agriculture in the country with more than 3,700 employees. Mr. Bronson's priorities include overseeing the state's vast agricultural industry and helping to promote products, safeguarding the state's food supply, protecting consumers from unfair and deceptive trade practices and managing about 1 million acres of state forest. Commissioner Bronson has received numerous honors and awards including an FFA honorary national degree for outstanding personal commitment, a Nature Conservative Legislative Leadership Appreciation Award, a Florida Farm Bureau legislative award, and both Florida Sheriff and Florida Police Chiefs Association legislative awards.

The only thing bad I can say about him is that I think he went to the University of Georgia, and that is not usually a problem un-

less we have an occasional game against them. But it is with great honor, Chairman Bronson, that you are here. You have made the State of Florida proud. You are a great leader in agriculture, and I have enjoyed having the opportunity of working with you, and I look forward to hearing your testimony today.

The CHAIRMAN. Thank you, Mr. Mahoney. We also have with us today Mr. John McClung, President and CEO of the Texas Produce Association, Mission, Texas, and I would guess that you are here at the request of Mr. Neugebauer. It makes sense to me. And welcome to the Committee, and I am sure Randy welcomes you as well. And from my area, not quite from my district, but a good friend for a number of years, Mr. Joel Nelsen, President of California Citrus Mutual. He hails from Exeter, California. Welcome, Joel. Thank you for being here. And thank you for being a tireless critic of what is going on and keeping me informed of this because you have driven a lot of the facts that we are here today listening and taking this testimony from your personal experience.

I have to tell you that I was sharing some of the previous testimony we had received on that San Francisco incident with citrus canker, and every Member that I mentioned that to during the period of votes that we were just talking about were absolutely outraged that someone who does their job gets demoted for that. So we have a tremendous amount of work to do on this topic. But thank you for being here with us. We are going to start with Mr. Bronson. Mr. Bronson, please feel free to begin with your testimony.

STATEMENT OF HON. CHARLES H. BRONSON, COMMISSIONER, FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, TALLAHASSEE, FL

Mr. BRONSON. Thank you, Chairman Cardoza. Thank you very much for having me here today to talk about issues at the State of Florida level concerning these serious matters and to Representative Mahoney, a good friend who has been a very strong supporter of agriculture in our state and in the country. You heard my background. We do have the largest Department of Agriculture in the country, state Department of Agriculture. And we have some very highly qualified individuals doing the very same jobs that USDA does at the Federal level and very extensive, I might add. I know that the Committee has had a longstanding concern about the ramifications that have arisen from the AQI functions going over to the Department of Homeland Security. I also wanted to thank Representative Goodlatte for his efforts in the past and currently on these issues.

And I will tell you that I was at a meeting in Oklahoma when the decision was made to make this move, and there wasn't a single Commissioner of Agriculture elected, appointed Secretary or Director of Agriculture in the country from any of the states that thought this was a good move.

The CHAIRMAN. On a bipartisan basis.

Mr. BRONSON. On a bipartisan basis, absolutely. And it is because you have a law enforcement function, and I think DHS is doing a great job of protecting us against incursion from those who would attack us, but it is a different mission when you are looking

for pests and disease. And I just want to make sure that everybody understands I still respect what DHS is doing from that standpoint. We need to look at, which I think is one of the most dangerous positions we can be in is in letting plant and animal pests and disease come into our states and into this country that is going to cripple our state economy and our Federal economy and therefore cripple our national security from our food supply, quality and quantity as well as the protection of our people from different diseases that could be spread.

We face a unique challenge. We have 28 ports of entry, 14 deepwater ports, 14 international airports. We have over 50 million visitors who come to our state every year, and we receive over six million tons of perishable cargo annually: 88 percent of the flour imports, 55 percent of the fruit and vegetable imports, and 85 percent of the plant imports that come into our country come through the Port of Miami. That coupled with our climate almost ensures us to be a breeding ground for any pest or disease, both plant and animal, that may be brought to our state. We find one new plant or animal pest or disease a month in the State of Florida, and it is a constant battle with us and costs us billions of dollars over the years to take care of these problems.

Since the transfer of AQI in 2003 there has been a 27 percent increase in the number of new plant pests and diseases discovered in my state.

The CHAIRMAN. Can you repeat that, sir?

Mr. BRONSON. Since the 2003 transfer there has been a 27 percent increase in the number of new plant pests and diseases discovered in the State of Florida. And these are some of the examples, the chili thrips, which can attack numerous plant types, and, by the way, the nursery industry is our first industry of the state now and citrus has been moved to second because of canker and greening problems that we have had. We have the South African longhorn beetle, and some of the states are fighting longhorn beetles in other areas of the country, rice cutworm, gladiolus rust, and we have spent over $400,000 on that disease alone because it is very dangerous to our industry. And now we are looking at the sugarcane, orange rust, and, by the way, we have over 400,000 acres of sugarcane growing in the State of Florida, and it is one of our major crops, so we are very concerned about that.

At the writing of this report, Mr. Chairman, Members, we had 25 counties in the State of Florida out of the 67 that had citrus greening. Since this report was written, and by the time I got here today, two more counties have been found with citrus greening in the State of Florida. We are now at 27 as of today. And because of this greening, we had to implement new regulations that mandate all citrus plant production must be inside approved structures of greenhouses. In other words everything will have to be grown from the ground level inside greenhouses before it is reintroduced into any of the fields. We have lost over 900,000 trees or actually we are 900,000 trees short of what we need to replant, and we have raised the price of those young trees from $4.00, what they were worth, now to over $10.00 because of the lack of the numbers that we have for replanting.

The estimates to the citrus industry alone which is a $9 billion industry and has over 900,000 jobs—or 90,000 jobs in the state's economy is going to cost that industry about $375 million annually for all these pest and disease problems that we are having and how to handle them. Nearly 18 percent of all foreign pests and disease interceptions are in Miami, the highest rate for any city. And I am not as much concerned about what they are catching right now because we have determined based on all kinds of reports that we have seen that less than 6 percent of the actual products are able to be inspected because of a lack of inspectors and those types of things. I am worried about the 94 percent of those products that come through our state and into our state and go to your states, and what is left there that didn't get caught and what is being spread there is what is in my opinion shocking.

We receive a high volume of commercial and passenger traffic from the Caribbean, and we know that because of USDA's working with us and our own inspectors how much activity of pest and disease is in the Caribbean as well. Eighty percent of all animals can pass zoonotic diseases onto humans, 80 percent. That is how dangerous allowing one of those animals that is diseased out before it has been properly kept in quarantine. And you not only have the disease spread from animals to humans of some very bad diseases but you also have some spread through feces and other things of animals back to plant material that have caused some things. Mr. Chairman, in your own state that can happen if you don't catch these animals in time.

No one believes that port exclusion activities will completely eliminate the introduction of foreign pests and diseases. We understand that but the quicker we find out about them and be able to work between the states and Federal Government agencies the quicker we can get around it. In short, Mr. Chairman, the most important thing that we have to make sure is no matter where this Congress decides this AQI should go if the manpower is not adequate and the funding doesn't follow, we won't be any better off than we are right now, and I hope that however you decide to do this that the manpower and the money will follow. That is my statement, Mr. Chairman.

[The prepared statement of Mr. Bronson follows:]

PREPARED STATEMENT OF HON. CHARLES H. BRONSON, COMMISSIONER, FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, TALLAHASSEE, FL

My name is Charles Bronson and I am Florida's Commissioner of Agriculture. My Department, the Florida Department of Agriculture and Consumer Services (FDACS), is the largest state Department of Agriculture in the country with over 3,700 employees. FDACS has a broad and varied statutory mission in Florida that covers everything from food safety and forestry to consumer services and aquaculture. These are in addition, of course, to the plant and animal duties borne by most state departments of agriculture. Even with all of these areas of operation, FDACS spends the majority of its time and resources on protecting our agricultural industry from the spread of pests and diseases. Agriculture is Florida's second largest industry with farm gate receipts over $7.8 billion and an estimated annual economic impact of $97.8 billion. Protecting this industry from pests and diseases is a job that we simply cannot afford to fail at.

I want to express my appreciation to the Chairman and Ranking Member for not only inviting me to testify on an issue that has great importance to my state of Florida, but also for all of your actions relative to bringing the Agriculture Quarantine Inspection (AQI) program back to the United States Department of Agriculture

(USDA). I know that this Committee has had a long standing concern about the ramifications that have arisen from the transfer of AQI to the Department of Homeland Security (DHS). I am very grateful to Ranking Member Goodlatte for his foresight in ensuring this Committee never allowed the AQI functions and the ensuing transfer problems to fade away from Congressional scrutiny. Over the last 4 years, I have been very outspoken about my concerns regarding the lack of attention the agriculture function was receiving from DHS officials and I appreciate the time he and his staff have given to our concerns.

Let me be clear, I am extremely supportive of the role that DHS plays in protecting our shores from intentional terror attacks. They have done a phenomenal job in carrying out that specific mission. Unfortunately, DHS has been trained to focus on people and cargo that would purposefully harm U.S. citizens and businesses. Agricultural pests and diseases are almost always brought into the U.S. by people or companies who do not intend to cause harm. Whether a foreign traveler who brings fruits, vegetables or meat products to family and friends or a foreign company that has exported a product to sell here, both of these can cause tremendous economic damage if not properly inspected, and appropriate mitigation measures employed, for pests or diseases. This economic damage can equal, if not exceed, those caused by intentional acts. I sit here before you today knowing all to well the economic impacts a foreign pest or disease can have on both an agricultural sector as well as a state's economy.

In Florida, we face a unique challenge in that we have over 28 ports of entry (including 14 deep water ports and 14 airports), nearly 50 million visitors a year and six million tons of perishable cargo that enters our state every year: 88% of the flower imports, 55% of the fruit and vegetable imports and 85% of the plant imports that come into the country come in through Miami. That, coupled with a climate that ranges from tropical to temperate depending on where you are in the state ensures that our agricultural production is at great risk of a pest or disease incursion. In fact, historically, we discover one new foreign plant or animal pest or disease a MONTH in Florida. It is a battle we fight on a daily basis.

Since AQI was transferred to DHS in 2003, there has been a 27% increase in the number of new plant pests and disease incursions in the state of Florida. Chili thrips, South American longhorn beetle, gladiolus rust and citrus greening are just a few examples. Chili thrips is a serious insect that attacks over 100 different plants and is a major pest of strawberries, cotton, soybeans and chilies. We have spent over $400,000 on eradication efforts for gladiolus rust and the damage the longhorn beetle is causing to trees in my state is still being determined. Even more serious and economically damaging than these is citrus greening. The presence of this disease, now in 25 of Florida's counties including some of our largest citrus production areas, has resulted in the implementation of new regulations that mandate all citrus plant production must be inside approved structures. The consequences of these regulations to Florida's citrus industry is that we are 900,000 trees short of what is needed for new plantings and the price of new citrus trees has increased from $4.00 per tree to over $10.00. Total costs of this disease to an industry that contributes $9 billion and 90,000 jobs to the state's economy have yet to be fully calculated but preliminary estimates suggest it will be in excess of $375 million annually.

In fact, the last few months have resulted in detections of two potentially devastating pests—sugarcane orange rust and the rice cutworm. My Department, working in conjunction with USDA–APHIS, is still in the process of delimiting these infestations given their recent detection, but I have no doubt there will be both economic and ecological impacts felt in my state from them.

Nearly 18% of all foreign pest and disease interceptions are in Miami, the highest rate for any city. But I am not as concerned with what they are catching. It is what they aren't that is the problem. And unfortunately, due to Florida's plant and animal diversity, I usually find out about what they missed when we find it on a plant or animal species in Florida. If we can get to it quickly, then the costs can be contained. But if we don't catch it quickly and it has spread, then the costs to the Federal Government, the state government and industry can be enormous. While quarantines can help mitigate the spread, the reality is that they will never be 100% effective. And we can't always count on our exporting countries in this effort. For some, a pest or disease that could have devastating impacts in the U.S. is not a problem in its native habitat so there is no recognition of risk. Others, including some in the Caribbean Region, have no functioning plant protection organization. Florida receives a high volume of commercial and passenger traffic from the Caribbean and so we have been actively involved in efforts within USDA to mitigate the risks these countries pose to my state through both onshore and offshore activities.

But it is not just plant pests and diseases that cause me concern. Recently we have received reports of birds imported as pets bypassing quarantine facilities in

Miami. Or animal hides brought into the country for taxidermy purposes arriving with ticks attached yet DHS failed to notify USDA. Further, there seems to be a lack of rigorous enforcement of cleaning and disinfection procedures for animal and animal by product (such as semen) shipping containers. Believe me when I say hearing stories such as these cause a state Agriculture Commissioner to lose sleep at night.

No one believes that port exclusion activities will completely eliminate the introduction of foreign pests and diseases. But neither will offshore threat identification and mitigation efforts alone. In fact, APHIS relies on close collaborations with the Agricultural Research Service (ARS), the U.S. Forest Service (USFS) and the Cooperative State Research, Education and Extension Service (CSREES) for surveys, risk assessments and research for both their onshore and offshore activities. These collaborations are an integral part of APHIS' operations. The port exclusion activities are critically important since many of APHIS' offshore mitigation activities are deployed based on DHS' pest/disease entry interceptions. We must therefore, have a functioning and effective AQI if APHIS' overall risk identification and mitigation strategy is to be successful.

Florida is a good example of a situation where the global marketplace, increasing imports of agricultural goods and the number of international travelers overwhelms our safeguarding systems to effectively deter establishment or achieve early detection. Unfortunately, this situation is not unique to Florida. I recently met with my colleagues around the country during our annual National Association of State Departments of Agriculture meeting. Pest and disease is always on the agenda as it seems we are fighting a never ending battle. My good friend in Hawaii, Sandra Kunimoto, the Chair of the Hawaii Department of Agriculture, shared with me that the varroa mite, a pest that devastates honeybee colonies, was recently discovered on the Island of Oahu which has the potential to cause millions of dollars in damage to Hawaii's queen bee producers who, due to their previous mite-free status, have built a thriving queen bee industry. She also shared with me the devastation the erythrina gall wasp has caused to native trees throughout the state, killing many different species and requiring significant resources for tree removal. In addition, the culturally significant taro plant is threatened by a disease that has been detected on imports of a different type of taro called dasheen. While DHS has told Hawaiian officials about the amounts of taro that have been intercepted, they will not divulge any information as to inspections or the destination of the shipments so as to allow Hawaiian officials to conduct inspections of intended destinations in the state.

DHS is responsible only for exclusion activities for pests and diseases. If they fail in their mission, there is no consequence for their inaction. The entities that have had to deal with the consequences, USDA and all of its agencies that collaborate on pests and diseases such as ARS, USFS and CSREES, as well as state and industry stakeholders, have had little choice the last 4 years other than to deal with the repercussions of DHS' failure in this arena. This includes the significant costs associated with mitigation, suppression and eradication activities. These costs can quickly reach the tens of millions of dollars. Citrus canker, for example, ended up costing a combined Federal-state total of nearly $1 billion.

DHS is fond of saying that with all three inspection entities combined into one agency, there are more sets of eyes looking for foreign pests and diseases. I look at it a little differently. I fear that the inspectors are becoming a little like "jack of all trades, masters of none". Moving AQI inspectors back to USDA accomplishes two very important things. First, it ensures that agriculture inspectors are dedicated full time to preventing a pest or disease incursion. But also, and I would say this was perhaps even more important, it allows the inspection workforce that remains at DHS to focus solely and completely on preventing a terrorist attack or weapon of mass destruction from damaging the United States. Neither one has their mission diluted. Rather than weakening the current infrastructure, I see a transfer of AQI back to USDA as strengthening both USDA and DHS in their primary mission area.

Again Mr. Chairman, I want to thank you for having this hearing on an issue that you can see I feel very strongly about. I look forward to working with you on this issue in the future and would be happy to answer any questions you may have.

The CHAIRMAN. Thank you very much, Mr. Bronson. Mr. McClung.

STATEMENT OF JOHN M. MCCLUNG, PRESIDENT AND CEO, TEXAS PRODUCE ASSOCIATION, MISSION, TX

Mr. MCCLUNG. Thank you, Mr. Chairman. My name is John McClung. I am the President of the Texas Produce Association headquartered in the lower Rio Grande Valley. The Association represents the interests of growers, shippers, and importers of fresh fruits and vegetables, and I want to thank you for both holding the hearing today and for allowing me to participate. I am sure you know the fresh fruit and vegetable industry is rapidly globalizing. The USDA has just released a study on imports, and it points out that between 1990–1992 and 2004–2006, between those two windows, average annual imports in this country jumped from $2.7 billion to $7.9 billion worth of fruits and vegetables.

It also reported that 44 percent of U.S. fresh fruit consumption and 16 percent of fresh vegetables comes from imports in 2003–2005. That is up 31 percent from about 20 years earlier. Texas, as a southern border state with a strong investment in produce, has been directly and substantially impacted by that surge in imports. Twenty years ago, Texas was the number three state in terms of fresh fruits and vegetable production in the nation. We always lag behind California and Florida. In 2001 when Congress passed the block grants that were distributed based on sales volume to the states, we had slipped to 10th place in production tied with New York, but those numbers are very misleading because during that same time period while our domestic production was slipping our imports were increasing dramatically. We now are over half of what we sell to the rest of the country as imports, most of it from Mexico, and those numbers are increasing while domestic production decreases, and that business is going to continue to grow.

The core problem for purposes of this discussion today is that as you increase imports you also increase the risk of foreign pests, particularly imports that are coming out of Latin America which has a pest base that is really problematic for us. So we spend a lot of time in the Rio Grande Valley trying to figure out how to avoid infestation by canker and greening. Those diseases have been mentioned earlier today. We watched those two diseases devastate the fresh citrus industry in Florida, and in the process defeat the best efforts of the state and Federal Government to prevent the introduction and subsequently to curtail their spread. We are exceedingly fearful that should either of those two diseases gain a foothold in Texas they would decimate our citrus industry in short order.

And those are only two examples. There is a long list of potential pests that could be exceedingly damaging. Our shield against those threats is the government's import inspection service. Now everybody knows that following 9/11 AQI went over to Department of Homeland Security. The industry at the time believed the shift was unwise, but, obviously, the momentum then was such that you didn't get very far with that argument. Since then we have worked diligently trying to get DHS to put the proper emphasis on AQI but we have been consistently disappointed. In the dynamic, in the competition within that agency between bugs, drugs, and thugs, obviously bugs get short shifted. We are always playing second fiddle if not third fiddle. And I don't see any way that that is going to

change as long as AQI remains under DHS. It is the nature of the animal.

I won't try and improve on the GAO review released in May of 2006, but I will tell you that we generally agree with the analysis. It is of real concern to us that DHS insists that they are making progress and we see deterioration ongoing in the inspection process. I am over my time limit. I will close this out, but I do want you to know that before I came down here today I called some of the folks that are DHS employees at the Pharr/Reynosa Bridge, which is where most produce comes into South Texas, and these are people I have worked with for years, and there is a level of trust and respect, I hope, set up. These people won't even talk to me about this. They won't return phone calls. Finally, after multiple phone calls, I get a call from some guy I don't know with Customs and Border Protection, and his best effort is to refer me to a website in Washington I can access if I want to know more about the agency.

I have never seen these people so concerned about talking about their situation.

The CHAIRMAN. Would you characterize it, sir, as intimidation?

Mr. MCCLUNG. I am not on the receiving end of that. I am reluctant to do so. I just know that they have always talked to me before about important things that were worth discussing, and I think that the testimony this morning was accurate. DHS is an agency that discourages communication at least with the outside, and I think that is what is going on here. Is it intimidation for the agricultural inspectors? I think so. I don't know that it is a systemic process but I know they are certainly limited in what they are willing to say to you.

In any event, I think it is important to note that the coalition of produce industry groups, 120 of us or so, that have been working on farm bill issues are generally of the opinion that our interests can only be served long term if AQI goes back to APHIS, that it can't happen under DHS, and that is based on the experience of trying to make it work under DHS. What we ultimately need is an AQI program that works, that is housed in the agency that puts foreign pest exclusion above its other priorities, and that is not going to happen in DHS in our opinion. I want to thank you for allowing me to appear today, and I welcome any questions you might have.

[The prepared statement of Mr. McClung follows:]

PREPARED STATEMENT OF JOHN M. MCCLUNG, PRESIDENT AND CEO, TEXAS PRODUCE ASSOCIATION, MISSION, TX

Mr. Chairman, Members of the Subcommittee. My name is John McClung. I am President of the Texas Produce Association, headquartered in Mission, Texas, in the Rio Grande Valley. The Association represents the interests of growers, shippers and importers of fresh fruits and vegetables. I greatly appreciate the opportunity to appear before you today to present my association's views on produce import inspections and this nation's efforts to defend itself against destructive foreign pests.

As I'm sure you know, the fresh fruit and vegetable industry is rapidly globalizing. The U.S. Department of Agriculture has just released a study entitled "Increased U.S. Imports of Fresh Fruits and Vegetables." That study points out that between 1990–1992 and 2004–2006, average annual imports into this country jumped from $2.7 billion to $7.9 billion. It also reported that 44 percent of U.S. fresh fruit consumption and 16 percent of fresh vegetables came from imports in 2003–

2005. That's up from 31 percent for fresh fruit and 9 percent for vegetables in 1983–1985.

Texas, as a southern border state with a strong investment in produce, has been directly and substantially impacted by the surge in imports. Some 20 years ago, Texas was the number three producer of fresh fruits and vegetables among the states. When the 2001 block grants to horticulture were passed by the Congress, with distribution based on sales volume, Texas had slipped to tenth place, tied with New York. Importantly, that ranking was based solely on domestic production. In reality, distribution from Texas to consumers nationwide increased over those same years; the apparent discrepancy was, and is, that over 50 percent of our sales within the state and outside the state are of foreign produce, the great bulk of it from Mexico. In 2005, for example, Texas points of entry from Mexico recorded some 76,577 loads of fresh fruits and vegetables. At 40 to 44,000 pounds per load, that's obviously a lot of produce.

Let me give you just one specific example. Last year, Texas imported some 20,000 forty pound boxes of large limes from Mexico. That's most of the limes we consume in the U.S. Go back 25 years or more, and those limes came from Florida. There probably aren't 200 commercial acres of limes left in Florida, nor are there commercial acres elsewhere in the U.S. By comparison, we only produced some 10,000 forty pound boxes of oranges and grapefruit combined, so our imports of limes were about double our production of citrus in the state. And we expect the business to grow. For Texas, that growth is driven by greater consumer demand, and also by business realities. At the current price of diesel fuel, it costs roughly $1000 to $1500 less to run a truck to the East Coast if it comes through South Texas than if it enters the U.S. further west. That makes a lot of difference to the bottom line of importers and truckers alike.

I can't resist pointing out that unless the Congress is able to quickly resolve the immigration reform issue, more and more of the grower/shippers in Texas will accelerate the trend of moving production to Mexico and elsewhere offshore. I have no one on the board of the association, and few of any size in the industry, who are not working both sides of the frontier. If we cannot secure labor in the U.S., we will move operations to where we can find labor. Then we will have succeeded in outsourcing yet another U.S. industry.

Back to the issue at hand. The core problem is that as imports increase, so do the risks from foreign pests. We spend a lot of time in the Rio Grande Valley trying to figure out how to avoid infestation by citrus canker or greening. We've watched these two bacterial diseases devastate the fresh citrus industry in Florida, and in the process defeat the best efforts of state and Federal Government to prevent their introduction and then curtail their spread. We are exceedingly fearful that should either of these two diseases gain a foothold in Texas, they would decimate our citrus industry in short order. We only have some 28,000 acres of citrus in Texas, compared with about 700,000 acres in Florida and 335–350,000 acres in California. Our entire commercial citrus production area is only about 50 miles long and maybe 20 miles deep, so we feel terribly vulnerable.

And these are only two examples of potential pests that could do us grave economic damage in both our fruit and vegetable sectors. For many years, we have battled against Mexican fruit flies in the Rio Grande Valley, where we are at the northern extreme of their range. I am pleased to report that because of an increased effort on the part of USDA to suppress Mexflies in the state, we finally appear to be winning that battle, at least for now. Any advances we have made have been the result of expanded resources and focused attention from APHIS in both the U.S. and Mexico. That is the kind of effort we need at our borders to deal successfully with many other pests.

Our shield against these threats is the government's import inspection service. Following 9/11, as we are all well aware, the Agriculture Quarantine Inspection functions previously housed in the Agriculture and Plant Inspection Service at USDA were transferred over to the Department of Homeland Security. The industry thought the shift unwise at the time, but the momentum could not be successfully challenged.

Since then, we have worked diligently to try to get the Department of Homeland Security to put the proper emphasis on AQI, but we have been consistently disappointed. In the competition within the agency between "bugs" and "thugs," we inevitably play second fiddle. When we complain, we always get various versions of two themes from the agency; sometimes they tell us they are aware of the problem, they're working on it, they just need a little more time. On other occasions they tell us they have bested the early organizational problems and are actually doing a better job of it than APHIS ever did. We simply don't agree.

I won't try to improve on the GAO review of AQI functions released in May of 2006, but I will tell you that we generally agree with that analysis. It is of real concern to us that while DHS insists there are more inspectors working on agriculture because of cross-training, in fact the GAO study confirmed that even the previous APHIS inspectors were doing fewer product inspections and more non-agriculture work. In another telltale measure, some 60 percent of inspectors felt their job was not respected by CBP officers and management.

In talking with inspectors and supervisors at the Pharr/Reynosa bridge, which is about 5 miles from my office and is the most important produce port of entry by far between Texas and Mexico, employees are very guarded about what they say, but they are quick to tell you that they can only skim the surface because they are just too few and resources are too limited given the emphasis on border security and terrorism.

I do want to note that we had our differences with APHIS, too, when that agency was responsible for AQI. Perhaps one of the most vexing issues for the industry was, and continues to be, the government's insistence on working bankers' hours at the crossing points. It is the nature of our perishable industry to want to move product in the afternoon, after picking and packing in the morning, but it is government's nature to quit for the day at about 4 or 4:30 in the afternoon. So our trucks sit on the bridge approaches or in impoundment lots over night. But that's a worry for another day, and in any event, we in industry aren't always as efficient as we might be.

In fairness, DHS does seem to be trying to improve the AQI function. But in the grand scheme of things, they are much more inclined to put resources into counterterrorism than they are into foreign pest prevention. The irony is that in economic terms, the real terrorists may well prove to be the six and eight legged variety. One credible recent study put economic damage from foreign pests at around $120 billion annually. I'm not aware that terrorists slipping across our borders are exacting such a toll. It is also obvious that there were many difficulties during the long transition period between USDA and DHS that have either been addressed, to some extent, or at least papered over. And there are those who believe that it would be best at this point to try to make the most of DHS rather than creating a whole new period of upheaval by sending AQI back to USDA. But it is our perception that import protections actually are eroding at the very time they should be improving.

The coalition of some 120 regional, state and national produce organizations working on farm bill issues—the Specialty Crop Farm Bill Alliance—recommends a transfer back to APHIS. Our objectives are simple to explain, if not to implement: we want a Federal AQI program housed in an agency that puts foreign pest exclusion above all other priorities, and we believe the experience of the past few years shows that only can happen in the long run under USDA. We advocate legislation consistent with the proposals from Chairman Cardoza, Senator Feinstein and others to move AQI back to where it originated, for good reason, in USDA.

Again, thank you for allowing me to testify today.

The CHAIRMAN. Thank you, Mr. McClung. Mr. Nelsen. Have at it, my friend.

STATEMENT OF JOEL A. NELSEN, PRESIDENT, CALIFORNIA CITRUS MUTUAL, EXETER, CA

Mr. NELSEN. Thank you, Mr. Chairman. Good morning, Members of the Committee. As already noted, my name is Joel Nelsen, President of California Citrus Mutual, which is a citrus producers' trade association in California. Our membership is throughout the state, 2,200 farm families farming over 300,000 acres of citrus, a value exceeding $1.3 billion. Where I live is the number one agricultural region in the world. Where I reside is the number one agricultural state in the nation. This is a serious issue. In my written statement, I explain in depth our credentials that allow us to speak on the issue. Simply stated, we have been quarantined as a result of an invasive pest, and we were the lead organization in the mid-1990s that led the floor fight that changed the method of funding the agricultural inspection program to what it is today.

The failure of our pest exclusion system that we face today is one of cost borne by the Department of Agriculture, by state government, by local government, and by stakeholders in agriculture. The failures have manifested themselves to a point where local government is demanding that we, the victims, help defray the cost of eradication. At the Federal level the costs have been so outlandish that OMB now requires sign off before APHIS can engage in a major eradication program. Metaphorically speaking that is akin to the fire captain seeking permission from the mayor prior to engaging in fire depression and then asking the victim for a check before he can release water from the hose.

We understand the nuances of this program. We get the budgeting. We understand the risks and the pressures. We have been a valuable member of the USDA support team in the past, and we will continue to do so in the future. We are now a member of the DHS team that evaluates this program. They tried to put more guard dogs in front of the door but it didn't work. We still get in. Soon after Homeland Security was housed a group of specialty crop association execs, John McClung and myself are two of them, met with then Commissioner Bonner and Assistant Commissioner Jay Ahern. We were assured that the program would be better than ever. "One face at the border would work," they said. "There are more inspectors now working to protect agriculture," we were told.

"We are sensitive to the concerns, and we remain open to stakeholder communications," so we were told. "Training and education will be cornerstones of the program," we were told. "We have an excellent working relationship with USDA," we were told. It sounds great. It sounds familiar. And we all know it didn't happen. We now know that the quality of the program has suffered tremendously. Notwithstanding the above, the dog team program was allowed to deteriorate immensely. AQI dollars were not properly utilized and there has been a massive turnover in personnel. There never was the harmonious relationship with the Department of Agriculture. We have come from an understaffed, highly trained team to an understaffed team of new personnel spread too thin with too many ports, too many responsibilities, and too little ability to focus on the agricultural mission.

We raise concerns that in the past 3 years no less than five reports were issued all of which spoke to a deteriorating system. I don't believe we need another report. I have listed those in my written testimony and they are for everybody to evaluate obviously. I, myself, conducted a minimum of four to five meetings with DHS in the past 4 years seeking clarification on improvement efforts. After the last report, our specialty crop industry met with the authors at GAO. We then unanimously came to a conclusion, the program must be transferred back to the Department of Agriculture. Transfer it back to the managers that understand the importance of the program. Transfer it back to the team that trained line employees. Transfer it back to the team that establishes the benchmarks for success and establishes operational guidelines, transfer it back to a home where the productivity and quality of the program blooms rather than deteriorates.

Simply stated, it is now a management issue. It is remarkable that the efforts of this Committee during the farm bill debate, leg-

islation introduced by Congressman Putnam, and the introduction of S. 887 by Senator Feinstein to accomplish that objective has all resulted in one thing, a massive communication outreach by CBP–DHS to stakeholders such as myself. Well, for me it is too late. This is why we supported Congressman Putnam. This is why we supported this Committee's efforts. This is why we are supporting Senator Feinstein and her efforts. We are through with second chances, done with third chances, and tired of fourth chances. It is not as if a path for improvement had never been identified. It is simply a fact that management did nothing with it.

The issue is one of management and focus. Do we accept statements that management had been reborn and better appreciates how best to accomplish the objective, or do we transfer the program back to a management team that has created the path for this rebirth. Almost 100 percent of the bullet points for improvement identified in all of the reports signed this past June require the creativity, direction, and training by APHIS. Don't ask us to believe that the management team that created the decline in operations is going to sustain that which is being rebuilt for them now. Give it another chance. Why? Why maintain the *status quo*? Let us have one team, singularly focused, working in a climate where job performance is recognized and rewarded. Transferring this program was a good idea that just didn't work. Not recognizing that from a management perspective just compounds the error. Adoptions are a great thing but in most cases there is no place like home. Move it back. Thank you for your time and attention to this issue, and I appreciate this opportunity.

[The prepared statement of Mr. Nelsen follows:]

PREPARED STATEMENT OF JOEL A. NELSEN, PRESIDENT, CALIFORNIA CITRUS MUTUAL, EXETER, CA

Good morning Mr. Chairman and Members of the Subcommittee; as noted my name is Joel Nelsen and I am President of California Citrus Mutual (CCM), a citrus producers' trade association in California. Our membership is statewide and consists of 2,200 farm families producing citrus on almost 300,000 acres, with an economic value exceeding $1.3 billion. CCM greatly appreciates the opportunity to share our views and concerns on an issue that is extremely important to the California citrus industry.

Today I want to provide a justification for why CCM and other industry organizations strongly support legislation to transfer the Agriculture Quarantine and Inspection (AQI) functions from the Department of Homeland Security back to the Department of Agriculture (H.R. 2629 and S. 887). We want to commend you, Mr. Chairman, for including this legislation in the House Agriculture Committee-approved version of the 2007 Farm Bill, and we also want to commend Congressman Putnam and Senator Feinstein for their leadership on this issue in the House and the Senate. CCM strongly believes that this legislation is necessary to ensure the protection of U.S. agriculture from the threat of invasive pests and diseases.

As an industry totally reliant upon fresh fruit sales for economic viability, we have always been sensitive to issues surrounding invasive pests and diseases. We have suffered through quarantines in the San Diego and Riverside areas. We have lost lemon sales in Ventura County as a result a of medfly outbreak. Fruit flies in Fresno County have limited our ability to export to China.

These quarantines adversely impact sales, require specific cultural practices that destroy integrated pest management programs, cost jobs and are a public relations nightmare. They have a tremendous negative cost impact on state and local government not withstanding the hundreds of millions of dollars allocated by the U.S. Department of Agriculture. The ripple effects are countless, ranging from transportation, ports, and local businesses.

Our state and our industry was the first to partner with USDA and utilize a sterile fly approach to eradication programs. Our industry has always been at the fore-

front of efforts to maximize budget support for pest exclusion activities at the state and Federal level. The challenges in this area have been increasing, with the most notable at the Federal level now being a mandate that the Office of Management and Budget agree to eradication dollars before they are spent by USDA. I submit that's synonymous with a fire chief calling a mayor and needing to receive permission to race to a site in order to put out a fire.

The cost and frequency of these programs have now reached a level that has triggered action by state and local government to seek financial support to help underwrite eradication programs from impacted stakeholders. Going back to my fire chief metaphor that's synonymous with a home owner being forced to write a check to the fire captain before the water is released. Specialty crop growers are the primary victims in this alarming scenario.

In 1994, our organization, along with a sister group in California, led the effort to change the funding methodology for agricultural inspection at ports of entry. We led the charge for authorization and then helped the Agricultural Committee in the floor fight with appropriators. The existing method for funding port of entry inspections was achieved during that fight.

I make mention of all this to emphasize the fact that we are an integral part of and supporter for the ag inspection program. Staff members of APHIS are very tired of me as I constantly participate and advocate in their budget, policy, education and implementation components of this valuable program. The Department of Homeland Security is now becoming well aware of us also.

We have a passion for the program, we understand it and no other agricultural entity has a greater working knowledge of this program. This passion was first presented to DHS in 2003 when a small group of CEO's from agricultural organizations across the country met with Commissioner Bonner and senior assistant Jay Ahern. At that meeting we were assured of the following: *that the program would be better than ever; that one face at the border would work; that there are more inspectors working to protect agriculture with the merger of Customs & Border Protection; that CBP is sensitive to our concerns and remains open to stakeholder communications; that training and education will be cornerstones of the program; and that we have an excellent working relationship with USDA.* These statements were elements of that discussion.

Unfortunately, this situation did not materialize. Since then I have had no less than six meetings at DHS headquarters in which I was assured identified problems were being corrected. Identified problems ranged from the slowness of the training program, adequate utilization of AQI dollars, the reduction in interceptions, interagency battles, a major deterioration of the beagle brigade program, and high staff turnover, just to name a few.

In 2004, I took a copy of a California Department of Food & Agriculture report entitled *Protecting California from Biological Pollution* which dealt with invasive species, thereby emphasizing the need to "get the DHS act together" so to speak. My colleagues and I became alarmed at the attrition rate as new management styles and new priorities encumbered the mission of USDA transfers. We soon asked respective Members of Congress to initiate their own studies.

Below is a brief listing of what was collectively developed:

- May 2004, a Congressional Research Service Report for Congress on Border Security and Agriculture;
- March 2005, GAO report determines that defenses against agro-terrorism needs bolstering;
- May 2006, GAO report states that Management & Coordination Problems Increase Agriculture Vulnerability;
- November 2006, GAO report to House Agriculture Committee regarding Agricultural Specialists Views of Program Efficacy after the transfer; and
- February 2007, OIG report by DHS and USDA reviewing their joint activity and program efficacy.

The DHS response basically was recruiting an APHIS employee to run the program at DHS. The position was filled, but he had no staff nor budget for too long a period of time. Meanwhile, institutional knowledge left in droves, position vacancies remained and the quality of the program suffered. That's the opinion of the industry which was subsequently confirmed by the plethora of reports listed above. After the November 2006, GAO report was published members of the specialty crop industry requested and received a meeting with the report authors. Our understanding of the report was confirmed. Our fears of quality and quantity reductions were being realized. The people were over-extended, management was not focused and our risk was magnified.

Thus, our industry came to the conclusion that enough was enough; the program must be transferred back to where it belongs, at the Department of Agriculture. The transfer was a well-intended effort that just didn't work. Good ideas don't always work, but the real failure is not recognizing that an effort is failing and doing nothing to correct it. We mounted an effort to accomplish the only solution visible, transfer of the functions back to the agency which believed this inspection program was a priority. Transfer it back to managers that understood the importance and the nuances of this inspection effort. Transfer it back to a home where the productivity and quality of the program blooms rather deteriorates.

That is why we encouraged Members of Congress to introduce legislation to transfer the AQI program back to USDA's Animal and Plant Health Inspection Service. The response by DHS to the introduction of this legislation in Congress has been amazing. Rather than simple verbal responses we received a game plan in writing. There was a joint session with stakeholders and the two agencies (*albeit* with only a 2 week notice). Outreach exploded and a road map developed. Communications were forwarded to Members of Congress as to how and why the program is and will be improved. There's a massive effort, now, to revitalize, reenergize and rebuild the program.

There's a greater appreciation of the mission, more enlightenment as to how best to carry it out. It's almost as if a rebirth is occurring and we should allow the status quo to mature. I've heard it before and now it's in writing. We heard it in 2003. I heard it in a meeting on December 9, 2004; July 19, 2005, and then again February 3, 2006. I have heard it in industry meetings and private discussions for the past 4 years.

Well, we're through with second chances, done with third chances, and tired of fourth chances. It's not as if a path for improvement had never been identified. I read the reports, you read the reports but nobody of consequence acted as a result of the reports. And now the agencies and certain Members of Congress ask us for one more chance with the *status quo*?

That fact remains that DHS has failed to properly implement this component of their mission. But who pays the price? Stakeholders are quarantined, USDA and states are responsible for the eradication project, but from DHS all we get is another pledge. A close examination of the training regime speaks to the fact that almost an entire team of 1,800 transfers has been hired and trained to replace original employees. The diverse dynamics of the existing CBP mission may not be compatible.

I do not believe that a transfer back to USDA would lead to another degradation of the program or another "cultural shock" which was one excuse after the original transfer. The employees would be working for the management team that trained them, established the benchmarks for improvement, established the operational guidelines and that have the passion for the mission. That's defined as one team on the same page at all times. That's defined as a management team that is singularly focused and creates a climate of responsibility for optimum job performance, satisfaction, reward, recognition and ultimately success. It's now a management issue, not a line or personnel problem.

A tremendous amount of rhetoric is being disseminated regarding the efforts and efficacy of the new personnel and new and improved program. But the reality is that we have heard it all before. Sure, we all want to believe in the new energy, but it's a management problem. *The framework does not exist at the Department of Homeland Security to achieve the desired results.* Four years worth of history proves that point. Adoptions are a great thing but in most cases there is no place like home.

CCM strongly urges Congress to enact legislation to transfer the AQI program from DHS back to USDA's APHIS (H.R. 2629 and S. 887). We believe this will greatly improve the AQI function and is necessary to adequately protect U.S. agricultural producers and other stakeholders from the threat and highly adverse impacts of invasive pests and diseases.

Again, thank you for this opportunity to express CCM's views in an effort to improve the efficiency of an important government program.

The CHAIRMAN. Thank you, Mr. Nelsen. As I listen to the three of you speak it is indicative to me what is wrong in government so often, and it is a frustration that so many of us have that I will go home and I will listen to my constituents at a rotary club. They will say how come Congress isn't doing something, and we are trying. And I don't know if we are going to have to have Mr. Mahoney and I carry pickets in bug suits out in front of the Department of

Homeland Security but if that is what it takes, we may just do that. But I will tell you that we are not going to let this drop, and if I were the folks at Homeland Security, I would be very afraid of what is going to happen because we are going to keep after them and after them and after them until they get the message.

Mr. Bronson, you state that new pests and disease incursions in Florida have increased 27 percent since the transfer in 2003. Do you have any sense on how much import volume has increased since 2003?

Mr. BRONSON. I can get you the volume figures. I will tell you it has increased and of course our free trade issues are bringing in more produce from various countries that have pests and disease, and we knew that from the beginning so we know that that is part of that increase as well. However, we know there are not as many people inspecting. We know that the morale level is low. I heard earlier, I think I heard a statement saying that they trained the inspectors for pest and disease—16 hours of training. Mr. Chairman, I have people who have worked in this for 20 and 30 years, and they are still learning about pest and disease. I am a law enforcement officer. I am a state-certified officer, and I can tell you the mindset is I can take a pathologist in plant and animal diseases and train them to be a police officer a lot easier than I am going to train a trained police officer to look for insects, pest and disease that they don't understand, don't know, and don't know how they react in the food supply. They are just not going to be capable of doing that.

That is why I have my law enforcement division totally separated from my plant and animal pest and disease inspectors because if there is a violation of law they will call my law enforcement agency and together they will go out and do the process. But now I have got both issues covered, and that is what I think needs to happen here again at the Federal level.

The CHAIRMAN. Thank you, sir. Mr. McClung, in your testimony you expressed concern over the hours worked at crossing points not matching product flows. It is my understanding that AQI used to hire part-time seasonal workers to more closely match harvest patterns. Can you comment further on how this mix-match between hours worked and how produce flow doesn't work?

Mr. MCCLUNG. We had a problem back in the APHIS days with hours at the crossing points because the government likes to knock off at the end of the day at 4 or 4:30 p.m. and in our industry you pick in the morning and you transport in the afternoon and the evening, and getting product across that bridge is a key consideration for us so that problem was there, but with APHIS it was much more flexible. You could work with them. They understood the priorities, and we simply did a better job. In addition, the people who were doing the fruit and vegetable inspection did that. They did fruit and vegetable inspection. They weren't pulled off to do other kinds of things so the volume an individual could move was greater.

The CHAIRMAN. Mr. Nelsen, you have been a vocal advocate for transferring this process back to USDA. There are some in the Administration who say that moving it back would cause further damage to an already demoralized workforce. I don't know how that

would happen exactly because frankly half the workforce is already demoralized; but how would you characterize your response to that?

Mr. NELSEN. I think it is bunk. The individuals that have been hired now by DHS, approximately 1,200 of them, there were 1,800 transferred over. All of them had been trained by APHIS personnel. All of them have been working under guidelines developed by APHIS communicated through CBP to be certain. Those people understand and appreciate the training that they receive from the people and the knowledge base that they had. All of a sudden they are back over at CBP where the knowledge base doesn't exist, where the appreciation for the work product no longer exists. You move those individuals, those line employees back to the management team that has the passion, the understanding, that actually trained them, there is naturally a nexus where you are going to have a more common bond between management and line employee. That doesn't exist now. That merger as far as creating additional problems is a phony straw man issue as far as I am concerned, and I am a manager.

The CHAIRMAN. Mr. Nelsen, if that gentleman hadn't done his job at the San Francisco airport and that citrus canker had gotten into the fields in California, can you speculate on the potential damage that could have caused your industry?

Mr. NELSEN. Mr. Chairman, it is devastating. It was a family that illegally imported root cuttings from their home in Asia. They brought the product in on a minor scale to begin with, and they got away with it. They had a nursery going. Secondarily, they brought it in at a much higher volume and that is what was inspected and ultimately discovered. Fortunately, government fulfilled its enforcement obligations and there was a major penalty to be paid here. Our industry is a billion dollar industry. We would be facing the same turmoil that our colleagues in Florida are presently undergoing.

It would be more devastating to us, because as a fresh industry, you cannot produce fresh fruit for a fresh market with a canker infestation. It is just impossible to do. At least in Florida for the time being while they learn to manage through this disease, they have the fall back position of a products market. They do a much better job in that arena than we can and ever will be able to do. But as a fresh industry, we would have been devastated, 12,000 employees destroyed, approximately, as I mentioned, 2,200 to 2,500 farm families. Our industry creates another three-quarters of a billion dollars in economic outlook in the State of California. It would have been a devastating situation if that canker had been allowed to be—canker infested root stock been allowed to be planted in the state.

The CHAIRMAN. So basically this gentleman doing his job going around normal chain of command saved the California industry billions of dollars.

Mr. NELSEN. There is no question about it, and approximately 12,000 jobs. Can I make a comment on that same vein, Mr. Chairman? I didn't mean to interrupt you, but you asked a comment earlier of the first panel or somebody did about can we document where a failing has occurred since the transfer to CBP. You are

well aware, as we alluded to, the situation we have in northern California with the light brown apple moth. That moth only exists in two countries. It came in from one of those two countries. A DNA profile has been done to confirm where it came from. The only way it came in was through the San Francisco airport. An offshore product is mandated to go through a CBP system. That is a failure of the system. And how much money have we spent on that program in the State of California? How much local turmoil is going on between state government and local government and citizens of that state? How many nursery owners are presently losing their nurseries because of the economic quarantine that they are being impacted? That is a real life failure of CBP.

The CHAIRMAN. I couldn't agree more, Mr. Nelsen. I am going to go over my time just a little bit and then I am going to turn it over to Mr. Mahoney, but I just want to follow up with saying the following. I spoke with Chairman Waxman about this issue during the break, and I let him know that because he doesn't come from an agricultural region what it means to his area to investigate since he is Chairman of the Oversight and Government Reform Committee. And as we know and as he remembers there have been a number of times where his neighborhoods in Los Angeles have had to be flown over and had eradication efforts, malathion sprayed into the neighborhoods because of the need of eradicating the pests in his area. He got it immediately.

And I just would like to say that the fellow who found the citrus canker in San Francisco and got transferred out and punished for doing his job should get a silver medal from the government, not transferred. And the fellow who did the transferring should be screening—should be checking for IDs in the line. Frankly, he is not qualified to clean latrines in the airport, let alone do the job he is doing if that is the attitude of what he has done. And, frankly, that is who ought to lose their job. And we haven't done our job in Congress until we pinpoint that person and make an example of his malfeasance in his job.

Frankly, we have to make some examples out of some of these people in order to make people understand that the job you are charged with doing is something very important to this country. And it makes me sick when people are totally malfeasant in their responsibilities to take the kind of action that that gentleman did. Thanks for enduring my editorial comment. Mr. Mahoney.

Mr. MAHONEY. Thank you, Mr. Chairman. Yes, this is very sobering today. And when I first got to Congress 10 months ago, I had the opportunity to go to APHIS in Fort Pierce to begin my education on this whole issue. And Mr. Neugebauer said it well earlier on when he said that agriculture is no longer just about feeding the population. It is a matter of national security, and that this nation cannot find itself in a situation where we are going to be dependent upon foreign sources of food and to the extent that we access foreign imports of food, we have to make sure that they are secure. I mean take a look at what happened with China when we had a couple of entrepreneurs that combined, held a third grade education, and figured out how to taint our food supply. Could you imagine what could possibly happen if you had somebody that was a lot smarter?

But be that at is may, I think this panel gives us a very interesting opportunity and that is, Mr. Bronson, I would be curious to understand in terms of your considerable responsibilities for the people of the State of Florida, could you explain what the nexus is between what you manage and what you are responsible for and what Department of Homeland Security is. What do you depend on Homeland Security to do for your organization and then could you just comment on how effective they have been?

Mr. BRONSON. Thank you, Congressman. I sit on the state Homeland Security Board myself. I deal with those issues at the state level. We work with Homeland Security at the Federal level. Thanks to this Congress, or the previous Congress, and my own state legislature, we were able to acquire two VACUS machines, gamma ray trucks from the Federal Government, and two from the state. They are all mobile and we have 23 interdiction stations or inspection stations in the State of Florida, and I can move those wherever I need to. First, I guess let me explain by saying I have got qualified people that I will put up against anybody at the Federal or any other state level. They are highly qualified people with Ph.D.s, very well trained. Law enforcement is very well trained.

Because of 9/11, when I lost one of my key personnel in food safety, I hired a lieutenant colonel veterinarian to come in and be our head person because I knew that he had worldwide experience being in the military for those issues. As soon as the veterinarian who handled the last Northeast breakout of Avian influenza, the big one, retired from the Federal Government, I hired him as my Chief Veterinarian in the State of Florida because I wanted to be prepared for those issues as well. So we are very prepared at the state level. I think where the breakdown really happens is while we are willing to pass information up the line from state to Federal so that they understand what is happening to us and what we need to do, we don't necessarily get that passed down. And I hold a secret clearance. All of my key personnel, we went through the process with the FBI to get a secret clearance thinking that we would receive this information so that if a shipment was coming in from a port, and we have asked for this information, if a ship was coming in from a port that we know there is a pest and disease problem, we already know that, that we would have an opportunity to work with the Federal Government to make sure that shipment was safe. We don't get that information, and it is a shame because we have personnel that can handle that at the state level and by the time we find out about it, we already have it.

Mr. Mahoney, if they don't react fast enough through the chain of command some of these pests and diseases can multiply anywhere from 48 hours to 21 days. We could be in a mess by the time the chain of command comes back down to us.

Mr. MAHONEY. Is it fair to say that the people in the State of Florida hold you responsible for making sure that these pests and diseases don't come in, and you have people at these ports and points of entry into the state?

Mr. BRONSON. We do not have people at the ports. We usually find out that we have a problem at our 23, and we are lucky. We are one of the very few states in the country that has 23 inspection stations on our natural border to the State of Florida. We find a

lot of stuff coming into the state including people hiding in boxes, stolen equipment, drugs, the whole thing, and pests and disease, both plant and animal have been detected at those stations. So we do the best job we can but I can assure you when I had to go through people's back yards ripping out citrus trees because we were doing it at the commercial level, we had to do it at the back yard level to keep the disease from spreading. We were getting ahead until those 2 years of hurricanes hit us and then it just spread everywhere.

I had people looking for my head for having to go do that, but I felt it was my responsibility to do that. I felt I needed to do my job, and I never shirked from that because I have always believed that if you do the right thing for the right reason, and you have science to back you up—they may be on you but at least you know you are doing the right thing.

Mr. MAHONEY. Has the situation, sir, in your opinion since Department of Homeland Security has taken over this responsibility, has it improved or has it deteriorated?

Mr. BRONSON. Well, I would have to say this particular portion has deteriorated and, like I said, they have done a good job of keeping people from attacking us, from purposely putting anything into our food supply. I think they have done a great job at that. The problem is you can't take a fully trained police officer and tell them it is important to look for these tens of thousands of pests and disease because they are not trained for it, they don't understand it, they don't understand the economic dangers. We could actually lose more naturally through pest and disease spread than we have ever lost through purposeful introduction, and that is a fact.

Mr. MAHONEY. If I may take a little more time, Mr. Chairman.

The CHAIRMAN. I would be able to recognize the gentleman after I let Mr. Neugebauer——

Mr. NEUGEBAUER. That would be fine for the gentleman——

Mr. MAHONEY. Thank you, sir. Last year coming up to a year anniversary, we had this little situation in Florida where we had a disease that was being brought in with horses that came in from Europe. My understanding is that the quarantine function looking at these kinds of issues is a Department of Agriculture function.

Mr. BRONSON. It is generally a USDA APHIS function in coordination with Homeland Security, of course, for coming overseas.

Mr. MAHONEY. Did you have an opportunity to take a look at and assess what happened there? I mean it almost wiped out what I would call the performance horse industry, which would have been a huge economic disaster for the State of Florida. Did you ever determine what caused that?

Mr. BRONSON. We at the state level pretty much know that that particular horse was not kept long enough in quarantine and probably did not show its true signs of being infected while it was there, therefore, it was thought that it may be safe. They released the horse, went through a series of pickups with other horses in Virginia, North Carolina, and down the line, came into Florida. Some of those other horses died. This particular horse made it because it had already been infected and made it through the worst part of the disease but it was a carrier and also other horses.

Mr. MAHONEY. Was that a failure on the Department of Agriculture or Homeland Security?

Mr. BRONSON. Well, it could have been—I am not going to speak to that.

Mr. MAHONEY. I am just trying to understand. We are talking about maybe doing something different and bringing something back to Agriculture, and if Agriculture has the responsibility for doing quarantining and they are not doing a good job there, then that makes me concerned about maybe moving it back so that is really what I am trying to get at.

Mr. BRONSON. Well, you are bringing up a good point though, Congressman, because if shared information between state and Federal Government was a little bit better, we already know every country in the world, Mr. Chairman, every state has this capability, and I want this to be very much stated here, we have highly qualified people just as qualified as anybody at the Federal level. They know and my people know where all of the highly potential problems in the world are, every country where there is bad disease, pest problems, that may be doing trade with us. We already know that. If we were given enough information ahead of time, we could also start looking for the potential of these problems and actually help the Federal Government by doing that.

Sometimes we don't hear about it until way after it has already gotten there, and that is a big problem for us. As I said, these diseases can take off so fast that it costs us hundreds of millions, even billions of dollars to control them at both the state, and this is what I want to get across, we spend hundreds of millions of state taxpayer dollars fighting this just as we spend Federal taxpayer dollars at the Federal level fighting this. It was about a 54–46 split on the cost of this, and it was right at a billion dollars in total fight for canker alone in the State of Florida.

Mr. MAHONEY. Thank you very much.

The CHAIRMAN. Thank you, Mr. Mahoney. Mr. Neugebauer.

Mr. NEUGEBAUER. Thank you, Mr. Chairman. Mr. McClung, welcome.

Mr. MCCLUNG. Thank you, sir.

Mr. NEUGEBAUER. It is good to always have a fellow Texan here. We heard a considerable amount of testimony today documenting the decline of AQI port inspection program since its transfer to DHS. How has that impacted Texas?

Mr. MCCLUNG. Well, Texas is one of the major importers of produce into the country; the bulk of it out of Mexico. Mexico has many diseases, as do all tropical areas, that we don't have in the United States so we are particularly sensitive to the possibilities. We have spent years in the Rio Grande Valley trying to control Mexican fruit fly because we are at the northern limit of its range in the United States and in the valley. We have finally gotten in this last year to where we are within striking distance of really controlling that pest. That is only because APHIS has put the resources and the effort into the control program necessary to suppress the fruit fly.

That is a victory for APHIS, and it certainly is an enormous benefit for us, but we are also concerned that there are other diseases filtering up through Latin America that APHIS is no longer dealing

with because they are not finding them because they are not inspecting any longer.

Mr. NEUGEBAUER. Isn't it true, in fact, that the amount of vegetables that we are importing has increased fairly substantially just in the last few years?

Mr. MCCLUNG. Oh, it increases—every year it increases. The USDA study I referenced earlier is saying that vegetable imports are up. In 20 years they are up, they are now 16 percent of our vegetable consumption compared with 9 percent 20 years ago. That is a lot of product.

Mr. NEUGEBAUER. I want to commend you for your proactive meeting with USDA and DHS. One of the things, and it is kind of what I heard Mr. Bronson saying just a little bit, is are there working groups—always when the Secretary of Agriculture comes in here, and he is talking about changing agricultural policy, one of the things I am a big proponent is are you interfacing with industry, are you getting their input because nobody has more at stake on a lot of these issues than the producers and the producer groups themselves, and so they are major stakeholders. And I guess I would have a question to the panel, do you feel like the resources that Mr. Bronson said you all have databases and things like that, do you feel like the stakeholders are a part of the team here? Do we need to encourage our friends over at Homeland Security now and other places that we need to make sure the stakeholders have a seat at the table?

Mr. MCCLUNG. Well, you are well aware, sir, in the Rio Grande Valley these days the Department of Homeland Security is not beloved because of the fence issue which is an enormous thing for us, but it has nothing to do really minimally with the problem of foreign pests. You heard Mr. Jurich this morning say that DHS is sort of paramilitary. That sounds a bit overwrought on first blush, but I think it is true. We try and talk to them. They are not very willing to talk to us. And when I tried, I said earlier today, when I tried to talk to some of the inspectors that either were previously APHIS or have come into the agency after the merger with DHS, they won't even talk to you anymore. They simply are not willing to tell you what they really think and how they really feel anymore which is a very sad issue in my mind.

Mr. NEUGEBAUER. I am going to take that as a no, Mr. McClung. Mr. Bronson.

Mr. BRONSON. Well, once again I think the lack of communication from the Federal level down to the local level is very evident. I mean we are finding out things way too late. We have so much capability in the State of Florida to react to these issues and to help the Federal Government get around them much quicker if they would just pass on the information. If I got to get all my top people in my laboratories and my animal and plant health in my law enforcement to try to get top secret clearance to get that then I will certainly do that. I don't think that is going to help either because I think the culture is—this is Federal, that is state. They are just not going to pass on that kind of information.

If you are trying to protect this country, and I don't care from what, if you don't pass on information and make sure everybody is prepared, I don't see how you protect the country.

Mr. NEUGEBAUER. Along those lines, if we were to put together that structure or encourage the Administration to put together that structure, and if you don't have those thoughts and ideas today, I think the Chairman and I would be very interested, but I think that is something near term we could encourage is putting together a working group with the Federal, state, and local, and when I say local I mean different producer stakeholder groups to be in the room and talk about how to get this fixed because I think this Committee is committed to make sure this gets fixed. We think it is too important, and so there are some things we can do and there are some things we can't do. I think one of the things we can do is get the Administration folks at the table and begin to have some dialogue on how we make this a better process because you all have probably as good an idea on this as anybody.

Mr. BRONSON. Well, Mr. Chairman, if I could, these things happen even though they are at the ports. These things happen maybe at a Federal port but it really happens in every state that this is found in. It actually happens in the state and that is what I think has been forgotten here. While the Federal mission is the ports themselves of imported products it is in that state whether it is New York, Florida, California, Texas, wherever it is, it is in the state as soon as it is found, and that is why we need to be able to react very fast and know about it immediately so that we can put our people into play.

Mr. NEUGEBAUER. Just for my edification how long was it in the issue in San Francisco, I guess it was, how long before that information was widely disseminated that there was a potential breach there?

Mr. NELSEN. Congressman, if I may answer that from California, too damn long.

Mr. NEUGEBAUER. Yes. That is kind of the way we talk in Texas.

Mr. NELSEN. I figured you would get it there, yes, sir. Last May I was notified and asked if I could participate in a discussion such as you described. There was a stakeholder meeting with APHIS to identify flaws. We were given 2 weeks notice. I couldn't make it back here, times being what they were, the scheduling. They put together a rather comprehensive game plan, a lot of words on paper, but I think we got to go back to the fundamental issue, do we believe that the existing management structure at CBP can implement what we identify to be flaws and corrective measures. That is the fundamental question, ladies and gentlemen, and for me the answer is no. We have tried it. The GAO reports, the Congressional Research Service reports, the OIG reports, all of those reports gave them road maps and they haven't done it. No more chances.

Mr. NEUGEBAUER. Thank you, Mr. Chairman. Well, thank you, Mr. Chairman, and I think this has been a very informative hearing, and I think we have some things we need to work on.

The CHAIRMAN. I absolutely agree. Mr. Mahoney was wanting to ask another question, but what I would like to do is, Mr. Mahoney, if you could submit those questions or mention those to the witnesses and have them submit in writing their answers to the Committee, I would appreciate it. I, and I think some of them, need to catch a plane as well. Mr. Neugebauer, I want to give you an op-

portunity to close. Maybe you have already done that. And then I wanted to say a couple concluding remarks.

Mr. NEUGEBAUER. Well, I thank the Chairman. I just think a couple things that are glaringly evident from the testimony we heard today, we have a problem, and it is not going away. Maybe it has gotten better in some areas, maybe it hasn't, and I think a full review of the structure and why the cultural problems are not working and maybe the structure is causing the cultural problems. I don't know, but we have problems and we need to fix them. And I think the other piece of it is I am a little discouraged to hear that we are not communicating more with the industry and the other stakeholders whether it be the states. And I think you are exactly right, the states and the agricultural community within those states are very much a part of those stakeholders. They are the people that have to bear the consequence and the brunt of when we don't do our job, and so to say this is a Federal issue and not a state issue, well, that is easy to say until half of your citrus population has to be burned or eliminated or fruits. There are just all kinds of consequences, quarantines of thousands of animals. So I don't like that kind of talk from our Federal Government. I think sometimes we forget who our customers are.

I came from the private sector, and I tell my folks on my staff we have 652,000 customers that are depending on us every day to take care of what needs to be taken care of, and I would hope that our agencies have that same attitude, and if they don't maybe this Committee can help them with some attitude adjustments. I thank the Chairman.

The CHAIRMAN. Mr. Neugebauer you and I think a lot alike in many areas. I think you just summed up my feelings absolutely. I tell my staff the same thing that you just indicated you said to yours, and I do it on a fairly regular basis as well. I would characterize this as colossal incompetence by the Department of Homeland Security resulting in a colossal waste of Federal tax dollars. Simply unacceptable. We are not meeting the needs of our constituents. And I just think we have to do better, and we are not going to quit until we find the right people who can do better. Before we adjourn, we have already had closing statements. I would just like to say under the rules of the Committee the record of today's hearing will remain open for 10 days to receive additional material and supplementary written responses from witnesses to any question posed by a Member of the panel. I want to especially extend that courtesy to Mr. Mahoney, and if you would, Mr. Mahoney, discuss your additional questions with the panel after this because unfortunately we do have to call the hearing to an end but I want you to have—you have done a great job asking questions today, and I want to make sure you have a chance to ask them all. This hearing of the Subcommittee on Horticulture and Organic Agriculture is adjourned.

[Whereupon, at 1:20 p.m., the Subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

PREPARED STATEMENT OF MICHAEL W. NEFF, EXECUTIVE DIRECTOR, AMERICAN SOCIETY FOR HORTICULTURAL SCIENCE, ALEXANDRIA, VA

"Mid-pleasures and palaces though we may roam, be it ever so humble, there's no place like home."

Those famous words penned by playwright John Howard Payne 185 years ago still ring true today. Like people and places, some Federal agencies have a natural home where they operate more effectively. For the Animal Plant Health Inspection Service (APHIS), the American Society for Horticultural Science (ASHS) believes that natural home is the U.S. Department of Agriculture (USDA).

As the professional society of horticultural researchers and educators keeping specialty crop industries competitive, healthy, and safe for consumers and the environment, ASHS maintains a keen interest in APHIS inspection functions at America's border points-of-entry. Fulfilling its mission for "protecting the health and value of American agriculture", APHIS is our first line of defense against harmful diseases, pests, and other harmful infestations. Left unchecked, these contaminants could adversely affect the health and safety of America's food, fiber, and ornamental plant supplies—creating costly disruptions with both our domestic economy and competitive edge in global agricultural trade.

Legislation creating the U.S. Department of Homeland Security (DHS) in 2002 shifted APHIS border inspectors to DHS. Yet recent studies by the U.S. Government Accountability Office (GAO) document declining inspection rates at several key entry points, lack of coordinated management programs, and insufficient staff levels adequately trained to perform APHIS' assigned mission. Though operating under jurisdiction of DHS' Customs and Border Protection Service, Federal salaries and other APHIS resources remain under the purview of USDA's appropriations budget. This includes administrative funds for inspection training as well as regulatory and wage scale guidelines.

For the most efficient and effective use of resources, with on-site expertise providing timely response to potential hazards in the food inspection system, ASHS believes inspector specialists currently under DHS' Agriculture Quarantine Inspection Program should be transferred back to a unified arrangement under APHIS at USDA—its natural and proven base of operations.

For more information on ASHS' view with this issue, please contact Michael W. Neff, ASHS Executive Director, in Alexandria, VA, at 703–836–4606, e-mail, mwneff@ashs.org.

○