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United States Government Accountability Office

Report to the Ranking Member, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, Committee on Homeland Security and Governmental Affairs, U.S. Senate

July 2010

BORDER SECURITY

CBP Lacks the Data Needed to Assess the FAST Program at U.S. Northern Border Ports

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Highlights

BORDER SECURITY

CBP Lacks the Data Needed to Assess the FAST Program at U.S. Northern Border Ports

Why GAO Did This Study

The United States and Canada share a border of nearly 5,525 miles. U.S. Customs and Border Protection (CBP), within the Department of Homeland Security (DHS), is responsible for securing the borders while facilitating trade and travel. CBP launched the Free and Secure Trade (FAST) program in 2002 to expedite processing for pre-vetted, low-risk shipments. GAO was requested to assess U.S.-Canadian border delays. This report addresses the following for U.S. northern border land ports of entry: (1) the extent to which wait times data are reliable and reported trends in wait times, (2) any actions CBP has taken to reduce wait times and any challenges that remain, and (3) the extent to which CBP and FAST participants experience the benefits of the FAST program. GAO analyzed CBP information and data on staffing, infrastructure, wait times, training, and the FAST program from 2003 through 2009 to analyze operations. GAO visited six northern border land ports, which were primarily selected based on commercial traffic volume. GAO interviewed importers, trade organizations, and border stakeholders. The results are not generalizable, but provide insights.

What GAO Recommends

GAO recommends that CBP (1) develop milestones for completing the enhancement of the database to capture data on FAST program benefits and (2) conduct a study to determine if program benefits are being realized. DHS concurred.

View GAO-10-694 or key components.
For more information, contact Richard M. Stana at (202) 512-8777 or stanar@gao.gov.

What GAO Found

CBP does not collect data that would allow it to assess the effect of staffing and infrastructure constraints on wait times, but CBP officials and stakeholders report that wait times have decreased. CBP calculates and reports wait times hourly for 28 of 122 northern border land ports. However, CBP officials and the 13 border stakeholders, importers, and trade organizations GAO interviewed about wait times questioned the accuracy and reliability of CBP's wait times data. For example, CBP officers at three crossings questioned the methods used to estimate wait times, such as driver surveys, which are subjective. According to CBP and all stakeholders GAO interviewed, wait times for commercial vehicles have generally decreased due to lower traffic volumes as a result of the recession as well as staffing and infrastructure improvements, among other things. CBP initiated a pilot project in 2009 to automate wait times measurement and improve the accuracy of the data, and plans to deploy initial technology in the summer of 2010.

To reduce wait times, CBP has taken actions to address staffing constraints and make infrastructure improvements, but challenges remain. CBP has increased northern border staffing levels by 47 percent from fiscal years 2003 through 2010, and thus is better able to staff all available lanes. GAO found that CBP officers receive 3 to 14 weeks of on-the-job training rather than the required 12 to 14 weeks. CBP launched an enhanced tracking system in April 2010 to monitor training, which officials said will enable them to work with field offices that are not providing required training. CBP has a process for identifying and prioritizing capital infrastructure needs at land ports and has infrastructure projects related to 35 of the 122 northern border ports under way or planned over the next 5 years, in part, to help reduce wait times. CBP has made infrastructure improvements at 5 of the 6 land ports GAO visited. CBP officials said they face challenges addressing infrastructure needs, such as expanding infrastructure at the Peace Bridge, which is confined on three sides by the Niagara River, a historic park, and a residential neighborhood.

CBP lacks data needed to assess whether FAST program participants receive program benefits, but depending on the infrastructure available, CBP and 8 of 11 stakeholders GAO interviewed had generally favorable views of the program. CBP's Automated Commercial Environment (ACE) collects data on freight processing but does not differentiate between FAST and non-FAST shipments. Thus, it is difficult for CBP to determine the extent to which participants experience intended benefits. CBP officials stated that the ACE system needs to be modified to capture these data, but CBP has not yet set milestones to do so. Establishing milestones could help CBP ensure that modifications to ACE proceed as planned so that CBP is better positioned to begin collecting data. However, CBP does not have plans to conduct a study to determine if program benefits are being realized once these data have been captured. Conducting such a study would help CBP determine if the benefits are experienced by all FAST participants, and what program adjustments, if any, are needed.

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Contents

Abbreviations

ACE	Automated Commercial Environment
ATS	Automated Targeting System
ATU	Advance Targeting Unit
CBP	U.S. Customs and Border Protection
C-TPAT	Customs-Trade Partnership Against Terrorism
DHS	Department of Homeland Security
DOT	Department of Transportation
FAST	Free and Secure Trade
FDA	Food and Drug Administration
GM	General Motors
GSA	General Services Administration
HHS	Department of Health and Human Services
LTL	less-than-truckload
MDOT	Michigan Department of Transportation
NCAP	National Customs Automation Program
OMB	Office of Management and Budget
PAPS	Pre-Arrival Possessing System
POE	port of entry
RFID	Radio Frequency Identification Device
RPM	Radiation Portal Monitor
SRA	Strategic Resource Assessment
VACIS	Vehicle and Cargo Inspection System

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Accountability * Integrity * Reliability

United States Government Accountability Office
Washington, DC 20548

July 19, 2010

The Honorable George V. Voinovich
Ranking Member
Subcommittee on Oversight of Government Management, the Federal
Workforce, and the District of Columbia
Committee on Homeland Security and Governmental Affairs
United States Senate

Dear Senator Voinovich:

The Department of Homeland Security (DHS) faces challenges in balancing the need to secure the U.S. borders to prevent the illegal entry of persons and contraband while at the same time facilitating legitimate trade and travel. The United States and Canada share the longest undefended border in the world, covering nearly 5,525 miles,[1] and one of the world's largest trading relationships. Canada is the United States' largest single trading partner.[2] Most of this trade crosses the border by truck. In 2009, approximately 53 million passengers in personal vehicles and 5 million commercial vehicles crossed the border from Canada into the United States. However, this volume is down from about 63 million passengers in personal vehicles and about 7 million commercial vehicles in 2005, primarily due to the economic recession.[3] In 2006, the Department of Transportation (DOT) projected that U.S. imports from Canada by truck would increase from 125 million tons in 2002 to 181 million tons in 2015.[4] As the United States and Canada begin to emerge from the recession, economists expect trade between these two countries to increase. Further, according to DHS, the heightened emphasis on border security can lengthen the amount of time it takes for travelers and cargo to pass inspections and cross the border.

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[1] This figure includes the distance of the entire U.S.-Canada border, including the border between Canada and Alaska.

[2] U.S. Department of Commerce, U.S. Census Bureau.

[3] U.S. Department of Transportation, Research and Innovative Technology Administration, Bureau of Transportation Statistics.

[4] This forecast did not foresee the recession that began in 2007. DOT expects to have an updated forecast by the end of fiscal year 2010.

GAO-10-694 Northern Border Security and Commerce

We reported in August 2007 that DHS had made progress in implementing its functions in each of its management and mission areas; however, it faced challenges in balancing trade facilitation and border security, among other areas.[5] For example, we identified challenges in DHS's efforts to interdict flows of illegal goods into the United States. There have also been concerns with respect to the adequacy of staffing as well as facilities and physical infrastructure to accommodate an increasing volume of traffic. In November 2007, we reported that staffing shortages affected DHS's ability to carry out border security responsibilities and that DHS faced challenges in addressing weaknesses in physical infrastructure at land border ports.[6] Moreover, in September 2008, we reported that infrastructure constraints and limitations were major impediments to the smooth flow of traffic and trade crossing at the U.S.-Canada border at the Peace Bridge in Buffalo, New York.[7] Recognizing the need to improve both border security and border-crossing efficiency, the United States and Canada have collaborated on various cross-border management initiatives intended to increase the flow of legitimate travel across the border while maintaining security. For example, to facilitate the travel of low-risk screened shipments across the border, the United States and Canada participate in the Free and Secure Trade (FAST) program through which approved commercial drivers are to receive expedited border processing. The FAST program is intended to provide access to dedicated lanes, fewer referrals to secondary inspections for participants, priority processing for U.S. Customs and Border Protection (CBP) inspections, and enhanced security.[8]

You requested that we assess delays crossing the U.S.-Canadian border. Therefore, this report addresses the following questions:

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[5] GAO, *Department of Homeland Security: Progress Report on Implementation of Mission and Management Functions*, GAO-07-454 (Washington, D.C.: Aug. 17, 2007).

[6] GAO, *Border Security: Despite Progress, Weaknesses in Traveler Inspections Exist at Our Nation's Ports of Entry*, GAO-08-219 (Washington, D.C.: Nov. 5, 2007).

[7] GAO, *Shared Border Management: Various Issues Led to the Termination of the United States-Canada Shared Border Management Pilot Project*, GAO-08-1038R (Washington, D.C.: Sept. 4, 2008).

[8] Secondary inspections occur when a vehicle is referred by the primary line officer for further inspection, including X-ray scans, paperwork, and physical examinations.

- To what extent are CBP's wait times data reliable for determining the impact of staffing and infrastructure on wait times, and what are the reported trends in commercial vehicle wait times?
- What actions, if any, has CBP taken to reduce wait times caused by staffing and infrastructure constraints along the U.S. northern border and what challenges, if any, remain?
- To what extent do CBP and FAST participants experience the benefits of the FAST program at U.S. northern border land ports of entry?

To address these questions, we reviewed CBP, Department of Commerce (Commerce), DOT, General Services Administration (GSA),[9] and Food and Drug Administration (FDA) within the Department of Health and Human Services (HHS) documents and data on staffing, infrastructure, wait times, training, the FAST program, and commercial traffic volumes. We visited six ports of entry (POE)[10] (Ambassador Bridge in Michigan, Detroit-Windsor Tunnel in Michigan, Lewiston-Queenston Bridge Crossing in New York, Pacific Highway Crossing in Washington, Peace Bridge Crossing in New York, and Port Huron in Michigan), which we selected based on high commercial volume; geographic diversity; the results of CBP's Strategic Resource Assessments (SRA);[11] and interviews with CBP, border stakeholders, importers, and trade organizations. The ports we visited accounted for, in total, approximately 64 percent of the value of goods imported into the United States from Canada in 2008. At each port, we held discussions with CBP officers and met with management to discuss, among other things, staffing, infrastructure needs, and trends in border wait times. We toured each facility and observed primary and secondary inspections[12] for FAST and non-FAST commercial vehicles. Additionally, we interviewed 13 border stakeholders, including officials from DOT; Commerce; Canada Border Services Agency in the Windsor–St. Clair and Niagara-Fort Erie Regions; Detroit River International Crossing; GSA; five

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[9] One hundred and twenty-two of 166 land border POEs are along the northern border and are operated by CBP; the majority of these are owned by GSA while the remainder are owned by CBP.

[10] At a POE location, CBP officers secure the flow of people and cargo into and out of the country, while facilitating travel and trade.

[11] The SRA is an assessment that identifies capital needs at POEs by evaluating existing facility conditions, predicting future workload trends, performing space capacity analyses, and estimating costs for the recommended options.

[12] Primary inspections occur at the border inspection booth by a primary line officer. Secondary inspections occur when a vehicle is referred by the primary line officer for further inspection, including X-ray scans, paperwork, and physical examinations.

bridge authorities—the Blue Water Bridge Authority, the Niagara Falls Bridge Commission, the Peace Bridge Authority, the Detroit International Bridge Company, and the Detroit-Windsor Tunnel Operators—and two regional traffic organizations—the Niagara International Transportation Technology Coalition and the International Mobility and Trade Corridor Project. We also interviewed 10 importers and trade organizations, of which 3—Ford, General Motors (GM), and Chrysler—were FAST participants. The other 7 trade organizations were the American Trucking Association; the Canadian Trucking Alliance; the U.S., Mexican, and Detroit Chambers of Commerce; as well as the National and Detroit Customs Forwarders and Brokers Associations. These stakeholders were selected on the basis of their knowledge of staffing, infrastructure, wait times at northern border POEs, and the FAST program. Although the results of our interviews and visits are not generalizable, they provided us with an overview and perspective on operations at high-volume northern border land POEs.

To address the first and second objectives, we reviewed CBP documentation on wait times and infrastructure plans and CBP and GSA criteria for prioritizing the construction and renovation of land POEs. We also analyzed CBP's staffing data from fiscal years 2003 through 2009. We selected fiscal year 2003 as the start date for analysis to ensure consistency with other data used in the report. Although we discussed the staffing model and its results with CBP officials responsible for the model, validating the model and its results was outside the scope of our review. However, CBP is undertaking efforts to validate and update the assumptions used in the staffing model and review the sources of data, although CBP has not yet assessed the reliability of the model's data. Additionally, we reviewed CBP's data and reports on wait times at northern border land POEs. We compared CBP's policies and procedures for collecting and maintaining wait times and staffing with criteria in *Standards for Internal Control in the Federal Government*.[13] To assess the reliability of CBP's wait times data, we interviewed agency officials about data quality, data entry protocols, and quality assurance procedures, and reviewed relevant documentation, such as CBP's *Inventory of Current Programs for Measuring Wait Times at Land Border Crossings* and the Port of Detroit, Port of Buffalo, and Port Huron methods for measuring

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[13] GAO, *Standards for Internal Control in the Federal Government*, GAO/AIMD-00-21.3.1 (Washington, D.C.: November 1999). These standards, issued pursuant to the requirements of the Federal Managers' Financial Integrity Act of 1982, provide the overall framework for establishing and maintaining internal control in the federal government.

wait times, to determine the source of the data and the agency's control over the data. We reviewed a number of analyses of cross-border travel[14] and concluded that these studies were sufficiently reliable for purposes of characterizing qualitatively the expected costs of wait times.

To address the third objective, we reviewed CBP program goals, the *Federal Register* notice establishing the FAST program, and reports that discussed whether FAST participants receive the benefits. We reviewed CBP's data on primary and secondary inspections and processing times and wait times data from fiscal years 2003[15] through 2009 for FAST participants compared with non-FAST participants at northern border land POEs. Further, we reviewed data for the same time period on the number of FAST shipments referred to secondary inspection compared to non-FAST shipments. We compared this information against criteria in *Standards for Internal Control in the Federal Government* related to effective characteristics of program management, as well as the Project Management Standards that call for documenting the scope of the program and milestones (e.g., time frames) to ensure that results are achieved.[16] Additionally, we analyzed FAST enrollment rates, and interviewed selected border stakeholders, importers, and trade organizations, as previously discussed, to obtain their views on whether the advertised benefits of FAST are experienced by program participants. We also interviewed CBP officials in headquarters and at selected land POEs to understand how the FAST program operates and any challenges that exist in implementing the program.

We conducted this performance audit from November 2009 through July 2010 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe

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[14] U.S. Chamber of Commerce, *Finding the Balance: Shared Border of the Future* (Washington, D.C., 2009); International Trade and Investment Center, *Reaching a Tipping Point? Effects of Post-9/11 Border Security on Canada's Trade and Investment* (Canada, 2007); and Ontario Chamber of Commerce, *Cost of Border Delays to the United States Economy* (Ontario, Canada, 2005).

[15] Fiscal year 2003 is the first full year data are available on the FAST program.

[16] GAO/AIMD-00.21.3.1, and the Project Management Institute, *The Standard for Program Management*© (2006).

that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Securing the northern border while at the same time facilitating trade is the primary responsibility of various components within DHS, in collaboration with other federal, state, and local entities. CBP is the lead agency responsible for securing the nation's borders while facilitating legitimate trade and travel. CBP's Office of Field Operations is responsible for cargo and passenger processing activities related to security, trade, immigration, and agricultural inspection at air, land, and sea POEs. In addition, GSA oversees design, construction, and maintenance for all POEs in consultation with CBP. Within DOT, the Federal Highway Administration provides funding for highway and road construction and administers the Coordinated Border Infrastructure Program that provides funding to support the safe and efficient movement of motor vehicles across the land borders of the United States with Canada and Mexico.

In executing its mission, CBP operates 166 land border POEs. Ownership of POEs varies by location. CBP's land POE inventory consists of 166 ports, 99 owned by GSA, 22 leased by GSA, 1 owned by the National Park Service, and 43 owned by CBP. The remaining port is partially owned and leased by GSA. In general, the CBP-owned ports are small, rural, and characterized by low-traffic volumes. In contrast, GSA-owned ports are large, urban, and high-traffic volume ports. A majority (122 of 166) of land border crossings are located on the northern border, and vary considerably in size, location, and volume. See figure 1 for an example of a POE.

Figure 1: Lewiston-Queenston Border Crossing, Lewiston, New York

Source: GAO.

Appropriations Laws Required CBP to Develop Processes to Prioritize Resource Needs

In fiscal year 2005, the conference report accompanying DHS's appropriation directed CBP to submit a master construction plan for fiscal years 2005 through 2009, including purpose, cost, and schedule details for each facility construction planned.[17] Further, the Consolidated Appropriations Act, 2008, required DHS to prepare and submit a biennial National Land Border Security Plan.[18] This plan was to include a vulnerability, risk, and threat assessment of each POE located on the northern border or the southern border, beginning in January 2009. Moreover, the DHS Appropriations Act for fiscal year 2009 required in fiscal year 2010 and thereafter that CBP's annual budget submission for construction include, in consultation with GSA, a detailed 5-year plan for all federal land POE projects with a yearly update of total projected future funding needs.[19] Additionally, to help address infrastructure constraints, in

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[17] H.R. Rep. No. 108-774, at 43 (2004) (Conf. Rep.).

[18] Pub. L. No. 110-161, div. E, § 604, 121 Stat. 1844, 2095-96 (2007) (codified at 6 U.S.C. § 1403).

[19] Pub. L. No. 110-329, div. D, 122 Stat. 3652, 3658 (2008). The fiscal year 2010 DHS appropriation included the same language. *See* Pub. L. No. 111-83, 123 Stat. 2142, 2148 (2009).

2009, the American Recovery and Reinvestment Act appropriated $720 million for land POE modernization.[20] DHS received $420 million for ports owned by CBP, which CBP plans to use for reconstruction, repairs, and alterations at land POEs. These funds will be used at 21 POEs located along the northern border. The act appropriated the remaining $300 million for the GSA-owned inventory, which is being used to provide design or construction funds to seven new or ongoing capital projects, four of which are along the northern border.

Moreover, congressional interest in CBP's ability to link resources to its mission led Congress to call on CBP to develop resource allocation models. In response to language in the conference report for the fiscal year 2007 DHS appropriation[21] and the Security and Accountability for Every Port Act of 2006,[22] CBP developed a staffing model for its land, air, and sea POEs. The conference report directed CBP to develop the staffing model in a way that would align officer resources with threats, vulnerabilities, and workload. The staffing model is designed to determine the optimum number of CBP officers that each POE needs to accomplish its mission responsibilities.

Commercial Vehicles Are Subject to Inspection by CBP and Other Federal Agencies

Processing commercial vehicles at land POEs involves various steps and requirements. First, carriers are required to submit electronic lists describing what they are shipping, referred to as e-Manifests,[23] to CBP prior to a shipment's arrival at the border. CBP requires that e-Manifests for FAST shipments be submitted 30 minutes prior to arrival, while e-Manifests for non-FAST shipments must be submitted at least 1 hour before arrival. Second, CBP reviews the e-Manifest using its Automated Commercial Environment (ACE) database, among others, and assigns a risk level[24] to the shipment, a process known as pre-vetting. Next, when the commercial truck proceeds into the United States, it must go to the

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[20] Pub. L. No. 111-5, 123 Stat. 115, 149, 162 (2009).

[21] H.R. Rep. No. 109-699, at 126 (2006) (Conf. Rep.).

[22] Pub. L. No. 109-347, § 403, 120 Stat. 1884, 1926-28 (codified at 19 U.S.C. § 2075(h)).

[23] The entry document (e-Manifest) contains information about a shipment, including the shipment type, conveyance, passenger/crew, and equipment.

[24] CBP uses various databases, including the Automated Targeting System (ATS), Automated Commercial System, and local Advance Targeting Units (ATU) to screen and assign risk levels to travelers and cargo entering the United States.

primary inspection booth at the U.S. POEs, where a CBP officer reviews documentation on the exporter, importer, and goods being transported.[25] If the truck's documentation is consistent with CBP requirements and no further inspections are required, the truck is allowed to pass through the port. Depending on the POE, goods imported, or law enforcement requirements, CBP may direct the commercial truck to secondary inspection. According to CBP, trucks are referred to secondary inspection for numerous reasons, such as officer's initiative based on experience and training, targeted inspection,[26] or random inspection. Secondary inspection involves more detailed document processing and examinations using other methods, such as the Vehicle and Cargo Inspection System (VACIS), a gamma ray imaging system used to detect various forms of contraband, including explosives and drugs in commercial vehicles; advanced radiation portal monitor (RPM), a vehicle monitoring system used to detect nuclear and radiological materials;[27] or unloading and physical inspection. Trucks that require secondary inspection are inspected by CBP and may be inspected by more than one federal agency, depending on their cargo. For example, FDA, under HHS, and the Food Safety and Inspection Service (FSIS), under the Department of Agriculture, have primary responsibility for food safety. FDA is responsible for the safety of virtually all foods, including milk, seafood, fruits, and vegetables. FSIS oversees the safety of meat, poultry, and processed egg products, both domestic and imported, and verifies that shipments of these products meet FSIS requirements. Figure 2 shows the cargo processing steps at land POE crossings.

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[25] For the purpose of this report, we focused on commercial-truck crossings.

[26] According to CBP, officers select shipments for targeted inspection based on several factors, including training received in the cargo selectivity and cargo review environment. Specifically, shipments may be selected for targeted inspection based on information provided by the ATUs, Manifest Review Units, Document Analysis Units, and other specialized enforcement units. The ATUs use information from ATS or ACE to review manifest data prior to the shipments crossing into the United States. The Manifest Review Units are responsible for analyzing manifests, which list in detail the total cargo of shipments. Examples of data elements on a manifest include shipper, point and country of origin of goods, export carrier, and description of packages and goods. The Document Analysis Units are responsible for analyzing fraudulent documents.

[27] Prior to the primary inspection booths, CBP also screens commercial traffic using RPMs to detect nuclear and radiological materials.

Figure 2: Cargo Processing at Land Port of Entry
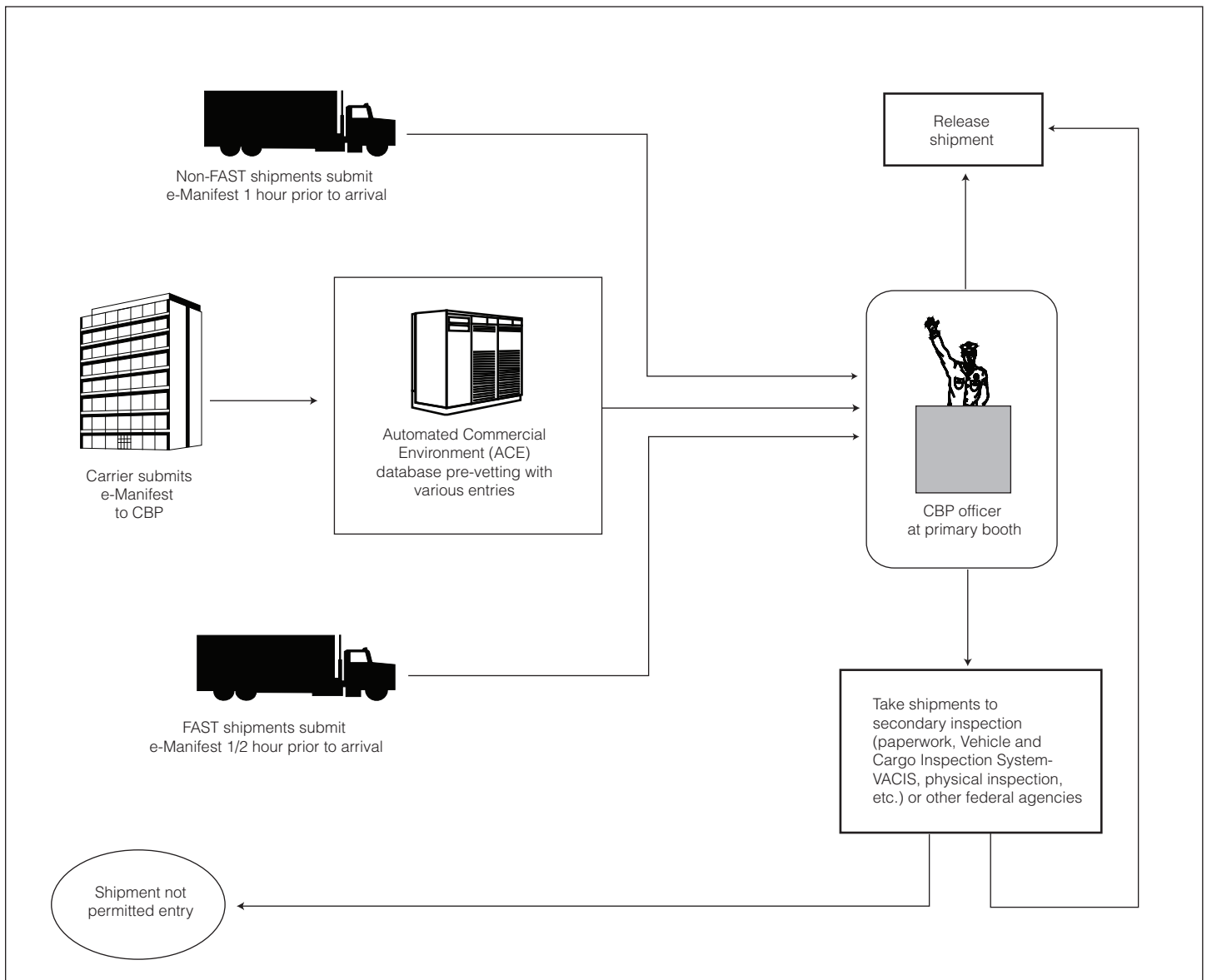
Sources: GAO analysis of CBP information; Art Explosion (clip art).

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A Goal of the FAST Program Is to Expedite Processing for Preapproved Commercial Shipments

CBP launched the FAST program in 2002 to include electronic and semi-electronic automated processing for preapproved shipments. The FAST program is intended to secure and facilitate legitimate trade by providing expedited processing of participants' merchandise in designated traffic lanes at select border sites, fewer referrals to secondary inspections, "front-of-the-line" processing in secondary CBP inspections, and enhanced security. FAST shipments are screened through advanced manifest reviews and targeting, nonintrusive inspections, canine sweeps, and random exams. To be eligible to receive the benefits of the FAST program, every link in the supply chain—the carrier, the importer, and the manufacturer—is required to be certified under the Customs and Trade Partnership Against Terrorism (C-TPAT) program and the driver must be pre-vetted in the FAST program. C-TPAT is a customs-to-business partnership program that provides benefits[28] to supply chain companies that agree to comply with predetermined security measures.[29] We reported in August 2008 that all C-TPAT participants—the carrier, importer, and manufacturer—are vetted prior to enrollment and are required to certify that they meet program minimum security requirements, such as a secure area to store trailers to prevent unauthorized access or manipulation.[30] Additionally, the (1) driver is required to have a pre-vetted FAST card, (2) truck is required to have a transponder, (3) truck cannot be carrying shipments with loads from multiple shippers that are not C-TPAT certified, and (4) e-Manifest is required to be submitted to CBP 30 minutes prior to arrival at the port. There are approximately 90,000 FAST drivers and 9,830 C-TPAT members, of which 4,400 are importers and 2,721 are carriers. The remaining 2,709 C-TPAT members are brokers, consolidators, and foreign manufacturers. FAST participation has increased substantially since CBP launched the program. However, the number of FAST participants decreased slightly in 2009, as shown in figure 3. All 122 northern border POEs and lanes can process FAST shipments in ACE, but 7 POEs on the northern border have FAST-dedicated lanes.

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[28] The benefits of C-TPAT include a reduced number of inspections and reduced border wait times, self-policing and self-monitoring of security activities, and a C-TPAT supply chain specialist to serve as the CBP liaison for validations.

[29] For more information on the C-TPAT program, see GAO, *Supply Chain Security: U.S. Customs and Border Protection Has Enhanced Its Partnership with Import Trade Sectors, but Challenges Remain in Verifying Security Practices*, GAO-08-240 (Washington, D.C.: Apr. 25, 2008).

[30] GAO, *Supply Chain Security: CBP Works with International Entities to Promote Global Customs Security Standards and Initiatives, but Challenges Remain*, GAO-08-538 (Washington, D.C.: Aug. 15, 2008).

Figure 3: FAST Enrollment Rates from Calendar Years 2003 through 2009

Number of FAST members
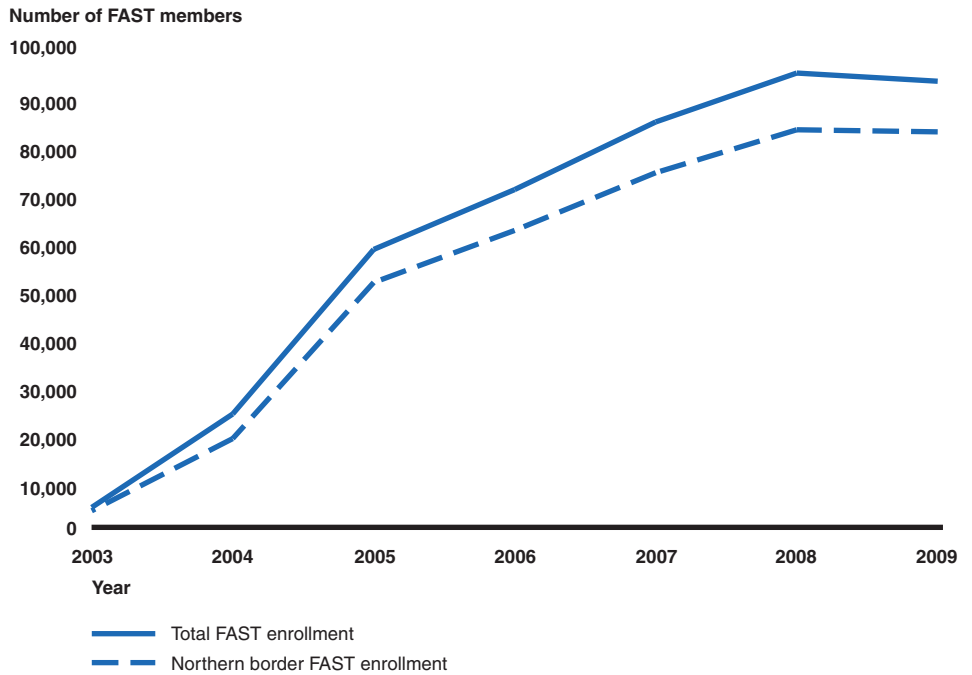
Source: GAO analysis of CBP data.

ACE tracks shipments by the types of manifests trucks use to report their shipments. FAST shipments are processed in ACE using two of the various types of manifests—National Customs Automation Program (NCAP), limited to certain types of FAST shipments, and Pre-Arrival Possessing System (PAPS), used by non-FAST and FAST shipments. According to CBP officials, the FAST/NCAP shipment provides limited information compared to a standard e-Manifest and no entry record is filed at the time the shipment is released. For example, the FAST/NCAP manifest does not include the driver information, trailer license plate number, or the quantity of shipment. The driver information and trailer license plate number can be added to the manifest by CBP at the primary inspection point. However, the quantity of shipment must be recorded by the broker when the entry is filed within 10 days of crossing the border. According to CBP, the FAST/NCAP manifest is used primarily by the auto industry. In contrast, the PAPS shipment uses a complete data set, including all the information CBP requires, such as driver information, trailer license plate number, and the quantity of shipments. Additionally, an entry record must be on file before a shipment is released. Approximately 60 percent of FAST shipments are PAPS shipments.

CBP Does Not Collect Data That Would Allow It to Assess the Effect of Staffing and Infrastructure Constraints on Wait Times, but CBP Officials and Stakeholders Stated That Wait Times Have Decreased

CBP Does Not Collect Data That Would Allow It to Determine the Effect of Staffing and Infrastructure Issues on Wait Times

CBP is limited in its ability to accurately quantify the impacts of staffing and infrastructure on wait times because its wait times data are collected using inconsistent methods and are unreliable. CBP defines border wait time as the time it takes for a vehicle to travel from the end of the queue to the CBP primary inspection point. CBP calculates and reports wait times hourly at 28 major land POEs along the northern border.[31] In October 2007, CBP issued interim guidance on approved methods for measuring wait times at land POEs. The guidance outlined various methods for calculating wait times, including (1) line of sight—CBP officials at the port estimate wait times based on volume, number of lanes open, and landmarks that identify the end of the line to the naked eye or camera; (2) benchmark— CBP officials at the port and stakeholders identify various benchmarks and measure wait times from the end of the traffic line to the primary inspection booth based on the number of lanes open and the benchmark points; (3) license plate reader—CBP officials at the port manually record the license plate of the last vehicle in line and then run the plate in TECS[32]

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[31] CBP measures waits time at the most traveled land border POEs, and at other ports with known sporadic periods (i.e., seasonal peaks) of increased wait times.

[32] TECS, formerly known as the Treasury Enforcement Communications System, is owned by CBP and maintains lookout (i.e., watch list) data, interfaces with other agencies' databases, and is currently used by CBP officers at POEs to verify traveler information and update traveler data.

to identify when the plate was processed at primary inspection; and (4) driver surveys—when the end of the line is no longer visible, CBP officials at the port use driver surveys to estimate wait times. Drivers arriving at primary inspection are asked by the CBP officer how long they have been waiting in the queue. CBP officials at the port take an average of the survey results to estimate wait times.

The six POEs we visited use one or more of the methods described above to measure wait times. Because the wait times are estimated using approximations of varying reliability at selected POEs, the data cannot be used for analyses across ports, and the methods of collection raise questions about the reliability of the overall data. CBP officials stated that all wait time measures are collected and coordinated with local bridge authorities and regional traffic management centers for concurrence prior to posting. However, some CBP officials as well as 13 of the 15 importers, trade organizations, and border stakeholders we spoke with about the accuracy of CBP's wait times raised questions about the accuracy and reliability of CBP's wait times data. For example, the CBP officer responsible for maintaining the Border Wait Times database stated that the accuracy of the wait times data varies depending on the method used to collect the data. Specifically, the official stated that driver surveys were subjective, and that impatient drivers may not provide accurate times spent in the queue. Further, a CBP official working on the wait times pilot project stated that manual measurement of wait times data is time consuming for staff, inaccurate, and could be improved. Commerce stated that the methods used to measure border wait times are subjective and therefore, the data vary in their reliability. Moreover, 12 other border stakeholders, trade organizations, and importers told us that industry organizations do not use CBP's wait times data because they question the accuracy of the data.

According to CBP, it uses several methods to measure wait times due to the infrastructure and port layout at land POEs. However, the formulas used to estimate wait times are not consistently updated. Further, because lane use varies at the POEs depending on traffic level and infrastructure, it may be difficult to obtain accurate wait times for passenger and commercial vehicles when all traffic share the same lane. Additionally, prior to April 2006, CBP's Border Wait Time database did not delineate

between wait time data for NEXUS[33] and FAST lanes at several POEs. As a result, wait times data for these programs were recorded within a single data element. Because of these factors, the data cannot be used for analyses across POEs or at individual ports, and the methods of collection raise questions about the reliability of the overall data. Standards for internal control require that all transactions be clearly documented in a manner that is complete, accurate, and useful for managers and others involved in evaluating operations.[34] Moreover, internal control standards call for agencies to establish policies and procedures to ensure the validity and reliability of data.

CBP acknowledged that the current methodology for measuring private and commercial vehicle wait times is not ideal, and has initiated a pilot project to automate wait times measurement and to improve the accuracy and consistency of the data collected. The wait times pilot project is a binational interagency initiative led by the Border Wait Times Work Group made up of representatives from CBP, the Canada Border Services Agency, the Federal Highway Administration, and Transport Canada. CBP and DOT officials anticipate spending approximately $2 million on the pilot project, and CBP and Transport Canada have committed to funding 50 percent of the cost. The initial goal of the pilot project is to identify and test up to eight potential technology solutions for automating the measurement of border wait times for passengers and commercial vehicles at two land border locations, the Peace Bridge between Buffalo, New York, and Ft. Erie, Ontario, and the Pacific Highway crossing between Blaine, Washington, and Douglas, British Columbia. The pilot also intends to implement two long-term technology solutions at one or more land border crossings along the U.S.-Canadian border. According to DOT, if the pilot project is successful, the selected pilot technologies will remain in place for approximately 1 year at the designated sites until further funding is identified. The objectives of the project are to measure wait times in both directions for cars and trucks, determine real-time and predictive capabilities, replace the manual process for calculating wait times, and explore long-term operations. According to DOT, the test sites were selected based on several criteria, including traffic types, volume, wait time variability and frequency, site characteristics, and willingness of

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[33] The NEXUS program allows registered border residents and frequent cross-border travelers identified as low-risk individuals access to dedicated lanes and expedited processing with minimal inspection.

[34] GAO/AIMD-00-21.3.1.

site operators to participate in the pilot project. The initial technology deployment is scheduled to occur in the summer of 2010. As of April 2010, the Border Wait Times Work Group had selected four vendor technology solutions, including traffic radar and Bluetooth, for phase I testing. According to CBP, during phase I testing, the technology solutions will be installed and testing will occur for about 30 days. If phase I testing and evaluation is successful, the technology wait time measurement solutions will be deployed at the national level during phase II pending funding. CBP expects to complete the pilot project by the summer of 2011.

Using a consistent methodology, such as a standard formula and automation, to measure wait times across all ports could better position CBP to analyze trends in wait times across land POEs. CBP and GSA officials report considering wait times as well as other factors in determining staffing, managing traffic workload, and infrastructure investments. Without reliable wait times data, CBP and others are unable to quantitatively determine the extent to which staffing and infrastructure constraints affect wait times, or readily estimate the costs of border delays. Having accurate border wait times data could better position CBP to allocate the needed resources to POEs and better manage those operations.

Moreover, CBP and DOT officials we interviewed cited a range of potential benefits that may result from automating border wait times measurement, such as (1) reducing the burden of manually collecting wait times data by customs staff; (2) increasing the accuracy, reliability, and timeliness of the wait times data collected and disseminated; (3) improving the agency's transparency by enabling land border wait times to be easily shared with participating agencies and regional traffic management centers; (4) improving customer service by increasing available staff for other port tasks; and (5) reducing delays in freight movement. Additionally, a CBP official working on the pilot project told us that automating wait times measurement to improve the data quality will facilitate better management decisions regarding staffing needs and infrastructure investment at land POEs.

CBP Officials and Stakeholders Report That Wait Times Have Decreased

CBP officials at the 6 POEs we visited and the 14 border stakeholders, importers, and trade organizations we spoke with about wait times agreed that, in general, wait times for commercial vehicles along the northern border have decreased since 2007. They credit reduced wait times, in part, to the economic recession, which resulted in reduced passenger and truck traffic, and staffing and infrastructure improvements. Border wait times

are influenced by multiple factors, including infrastructure available, staffing, traffic volume, and time of the year, including holiday travel and special events. Our analysis of DOT data shows that total truck crossings along the northern border decreased from about 7 million in 2005 to 5 million in 2009 (see fig. 4). This trend is also reflected in passenger crossing data. The total number of passenger crossings along the northern border declined from about 63 million in 2005 to 53 million in 2009.

Figure 4: Annual Truck Crossings along the Northern Border, Calendar Years 2005 through 2009

Number of trucks (thousands)
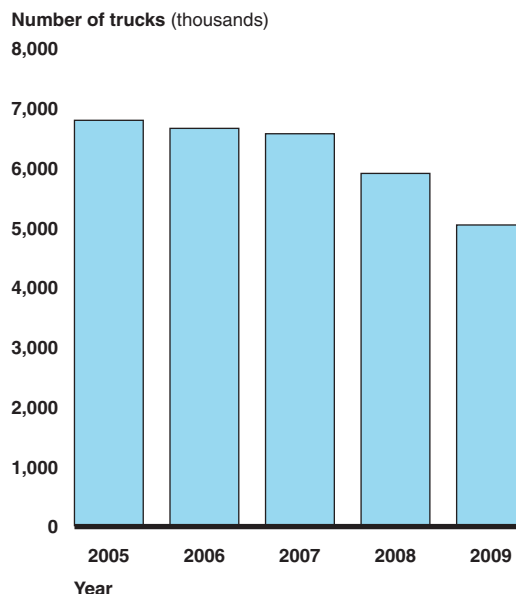
Source: GAO analysis of DOT data.

Although the economic downturn has reduced traffic volume and wait times, border delays were an issue before the recession. For example, the summer of 2007 saw the longest delays since the terrorist attacks in 2001, according to CBP and trade organizations. During this period, Port Huron, Michigan, regularly had delays that exceeded 1 hour, where the wait extended to the Blue Water Bridge from Canada into the United States, according to CBP officials, border stakeholders, and trade organizations that we interviewed. CBP officials in Detroit, Michigan, and Buffalo, New York, also reported having similar delays of over 1 hour during the summer of 2007 due to high traffic volume and infrastructure issues. Figure 5 shows trucks queuing on the Ambassador Bridge in 2007.

Figure 5: Trucks Queuing on the Ambassador Bridge, Detroit, Michigan, in 2007

Source: GAO.

Longer wait times at the border represent an increase in the cost of travel, which may lead people to make fewer trips. Conversely, shorter wait times represent a decrease in the cost of travel, which may lead people to make more trips.[35] According to a number of analyses of cross-border travel, such delays can result in additional expenses for industry and consumers stemming from increased carrier costs, inventory costs, labor costs, problems with inventory, and resulting reduction in trade and output.[36] For example, many manufacturing industries on both sides of the border manage their inventories using just-in-time management, a system that allows companies to ship goods just before they are needed and keep inventories and warehousing costs lower. Studies indicated that delays at the border affect delivery of shipments, and could have major consequences to industries that are time sensitive. Examples of time-

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[35] GAO, *Observations on Implementing the Western Hemisphere Travel Initiative.* GAO-08-274R (Washington, D.C.: Dec. 20, 2007).

[36] U.S. Chamber of Commerce, *Finding the Balance*; International Trade and Investment Center, *Reaching a Tipping Point?*; and Ontario Chamber of Commerce, *Cost of Border Delays to the United States Economy.*

sensitive industries that are reliant on just-in-time inventories and more vulnerable to supply disruptions include the automotive industry of the Great Lakes region and companies trading manufactured goods. Studies show that congestion can affect just-in-time delivery schedules. For example, according to a July 2009 Brookings Institution report, unexpected delays forced assembly lines to slow down and in some cases stop when the parts they need did not arrive on time.[37]

CBP Has Taken Actions to Address Staffing and Infrastructure Constraints, but Training Challenges Remain

CBP Has Taken Actions to Address the Effect of Staffing Levels on Wait Times, but Training Challenges Remain

CBP has increased staffing levels at northern border POEs to reduce wait times and improve operations, but is challenged in balancing increased staffing with training needs. Staffing levels along the northern border have increased by 47 percent from fiscal years 2003 to 2010 and, as a result, CBP officials at the six ports we visited told us that they are better able to staff all available primary processing lanes when needed, which increases throughput and decreases wait times. For example, CBP management in Blaine, Washington; Buffalo, New York; and Detroit, Michigan, said that although they struggled with staffing issues in the past, presently, their staffing needs are met. CBP officials attributed increased staffing levels to various factors, including recent recruitment efforts and improved retirement benefits for CBP officers.

To estimate its staffing needs, CBP uses a workload staffing model along with other information, such as input from CBP field offices.[38] According

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[37] The Brookings Institution, *Toward a New Frontier Improving the U.S.-Canadian Border* (Washington, D.C., 2009).

[38] For more information on CBP's Workload Staffing Model, see GAO-08-219.

to CBP, the model assesses staffing needs based on factors including traffic volume; workload data; processing times; expected time away for holidays, leave, training, and temporary duty assignments; task complexity; and threat levels, and then calculates the possible number of full-time equivalent CBP officers for each POE. CBP field offices also conduct their own staffing needs assessments by POE. CBP considers requests from field offices along with the model to determine staffing levels. According to CBP, since the model does not capture the complexity of the operations at the ports, such as wait times, projected traffic volumes, the implementation of new programs, facility expansions, and special enforcement initiatives, final decisions about resource requests and allocations are made in consultation with operational managers and program managers at the POEs and headquarters.[39] Once final decisions on staffing needs are made by CBP headquarters, the agency allocates staffing resources to each POE. According to CBP, the directors of field operations have the ability to place CBP officers where they are needed to meet operational needs. CBP management at the six POEs we visited stated that they determine staffing needs based on workload, enforcement efforts, and other factors, including wait times, holidays, and local events.

As of the end of fiscal year 2009, results of the model for the northern border land POEs showed a recommended level of staffing that was higher than the number of CBP officers on board. The model estimated that CBP needed 4,207 CBP officers while CBP had 3,927 officers on board at the end of fiscal year 2009. However, CBP reiterated that the model does not capture the complexity of land border operations, nor does it accurately determine resource requirements at the local level. For example, because the model does not take into account projected traffic volumes, it would not have accounted for the initial impacts of the economic recession. Therefore, CBP does not believe that northern border land POEs are understaffed based on the staffing model results. Moreover, CBP officials report that staffing has increased from 2,777 in fiscal year 2003 to 4,151 in fiscal year 2009 (see fig. 6 for more details). In fiscal year 2009, CBP undertook a "hiring surge," which resulted in an additional 285 staff for

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[39] In May 2010, CBP stated that it has initiated efforts to enhance the Workload Staffing Model by, among other things, incorporating information about each port's current and planned facility infrastructure and the associated staffing to provide coverage across the facility; researching staffing approaches of other DHS components to incorporate best practice modeling techniques; and validating the current assumptions in the model pertaining to work activities, work efforts, and data sources. CBP expects to complete the validation efforts by the end of the summer of 2010.

northern border land POEs. Due to CBP's hiring effort, CBP officials report that northern border field offices received additional staff allocations. The Seattle, Washington; Detroit, Michigan; and Buffalo, New York, field offices received a majority of the new staff, as 238 of 285 positions were allocated to these three offices.

Figure 6: Northern Border Staffing Trends, Fiscal Years 2003 through 2009
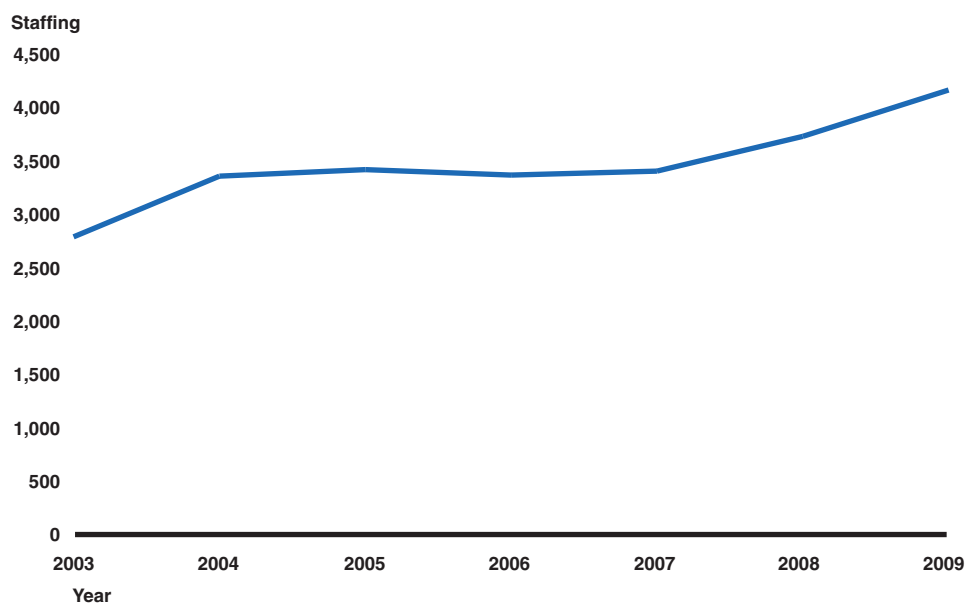
Source: GAO analysis of CBP data.

Although CBP has taken actions to begin to address the effect of staffing constraints on wait times, it faces challenges in providing training to its officers. Newly hired CBP officers undergo multiple training programs consisting of pre-academy orientation, academy, and post-academy programs.

- Pre-academy orientation—new officers attend pre-academy orientation at their duty stations prior to attending the academy training. The orientation provides new officers with an overview of the job, including port operations and trade enforcement and facilitation.
- Academy—new officers are required to complete a 73-day training program at the Federal Law Enforcement Training Center in Glynco, Georgia. This training consists of classroom, laboratory, and practical exercises to ensure that the trainees are able to perform the job.
- Post-academy—after completing academy training, new officers are required to complete 12 to 14 weeks of post-academy training to gain on-the-job training (OJT) at their respective POEs.

We reported in November 2007 that CBP faced challenges in providing the required training and lacked the data needed to assess whether new officers demonstrate proficiency in required skills.[40] We reported that while CBP requires at least 12 weeks of OJT, new officers at the POEs visited did not receive 12 weeks of training. Moreover, we reported that when staff do not receive required training or are not trained consistent with program guidance, knowledge building is limited and the risk that needed expertise is not developed is increased. The lack of experience, combined with incomplete training, can contribute to delays at primary points of inspection and unnecessary referrals to secondary inspections. Moreover, it increases the risk of incomplete or faulty inspections. We recommended that CBP incorporate into its procedures for its OJT program specific tasks that CBP officers must experience during OJT and requirements for measuring officer proficiency in performing those tasks. CBP officials have begun to take actions to address these recommendations by, among other things, developing OJT proficiencies that CBP officers must demonstrate before CBP certifies that the officers' OJT is complete.

However, at five of six POEs we visited, CBP officers were not receiving the required 12 to 14 weeks of OJT. The length of training provided ranged from 3 to 10 weeks at ports we visited rather than the 12 to 14 weeks required by CBP's post-academy training guidance. Table 1 shows the duration of training provided to new officers at the six ports we visited.

Table 1: Duration of On-the-Job Training Provided to New Officers at Ports Visited, as Reported by CBP Managers and Staff

Port	Duration of on-the-job training (weeks)
Location 1	3 weeks
Location 2	8 weeks
Location 3	8 weeks
Location 4	10 weeks
Location 5	10 weeks
Location 6	12 to 14 weeks

Source: GAO analysis of CBP training information.

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[40] GAO-08-219.

For example, CBP managers at one POE we visited stated that, in general, new officers receive 3 weeks of OJT. Officers also spend 2 to 4 weeks in a mentoring program. However, as a result of the recent staffing increase and the need to train more officers, the mentoring program at this POE has been reduced from 3 to 4 months to about 2 to 4 weeks. Moreover, CBP line officers at the same POE said that 2 weeks of mentoring is not sufficient time to train new officers. CBP managers at another POE said that new officers receive about 10 weeks of OJT. CBP officers at this POE stated that due to the large number of new staff requiring training and the need to balance this demand with port operations, the new officer OJT program has been reduced from 12 to 14 weeks to 6 weeks. Also, officials at another POE told us that on average, new hires receive at least 8 weeks of OJT. CBP stated that trainees in all POEs are required to complete the same post-academy training program and that deviations from the prescribed post-academy training program are not authorized. However, CBP training officials stated that depending on staffing levels, field offices may fast-track training to get new officers on the line to balance the need to provide training with facilitating the flow of commerce.

Although CBP officials at the six POEs we visited told us that staffing was adequate, CBP managers at four of six POEs said that it was a challenge to balance training needs with operational demands. For example, CBP managers at two POEs told us that they limit the number of officers sent off-site for training during peak seasons because it affects staffing level and port operations. According to CBP managers at one POE we visited, training new officers is expensive because the agency needs extra staff during each shift that training occurs. They told us that the agency does not have the capability to properly train the surge of new officers brought onboard due to recent hiring efforts because there is a shortage of experienced staff available to train new hires at the POEs. As a result, new officers are often trained by less experienced officers than before. Officers also told us that, in some instances, new officers are assigned to their duty stations without completing the required field training. For example, at one location, CBP line officers told us that although new officers receive a training checklist that supervisors are supposed to certify, typically

supervisors do not certify that the training checklist has been completed before new officers are assigned to duty stations.[41]

Internal control standards related to human capital management state that management should ensure that the organization has a workforce that has the skills necessary to achieve organizational goals. According to CBP officials responsible for training, staffing and meeting operational demands are the greatest challenges in training new hires. CBP officials in headquarters responsible for planning training stated that when ports undergo a hiring surge, it can be difficult for them to train the new officers. CBP officials also noted that ports need to staff extra officers to cover for field trainers and officers receiving training. For example, field trainers are officers taken off the line to train new hires. Additionally, CBP officials said that it is difficult to provide training during peak seasons when traffic volumes are high, and that field training may be limited due to capacity issues or availability of space at the POEs. CBP officials said they recognize that training is a challenge at POEs, and launched an enhanced tracking system in April 2010 to monitor the various stages of training, including pre-academy, basic academy, and post-academy training. According to CBP officials, with the system enhancement, they will be able to track delivery of training and work with field offices that are not meeting identified training needs. Further, CBP training officials told us that they plan to address the issue related to the need for more experienced field trainers by developing a certification program, which is being developed in two stages. The first stage, related to pre-academy training, was piloted in April 2010. The second stage, related to post-academy training, will be piloted and completed in September 2010.

In addition, CBP reported that in May 2009 the agency designed and began implementing a new training approach known as the Federal Career Internship Program for CBP Officers. According to CBP, the newly piloted program consists of 3-week pre-academy, 85-day basic training, and post-academy training. CBP officials explained that depending on the new hire's POE assignment, the new post-academy program may consist of

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[41] Further, CBP has not yet implemented OJT guidance for cargo processing. CBP officials said that cargo processing is an advanced assignment, and officers are trained when they are assigned to perform that function. As a result, training on cargo processing varies across POEs. CBP has initiated plans to develop and deploy specific on-the-job guidance and training modules that will be tailored to the specific operational environment, such as land border cargo primary and secondary processing, but CBP stated that the development of the training has not yet started. CBP officials estimate that the project will be completed by late fiscal year 2010, and implementation is scheduled for fiscal year 2011.

specific training in land operations, air and sea operations, or cargo operations. Additionally, CBP officials stated that it will use its enhanced tracking system to track all phases of the new training curriculum locally, in the field offices, and at headquarters. Further, CBP officials believe that the new post-academy curriculum and enhanced tracking system will help to eliminate variance among ports of the same environment in the way post-academy training is conducted. The pilots of the new curriculum are planned to be implemented in 2010 and final launch is planned for fiscal year 2011.

CBP Has Prioritized Infrastructure Needs and Has Made Incremental Improvements to Reduce Wait Times, but Infrastructure Challenges Continue

CBP Has a Process for Prioritizing Infrastructure Needs at Land Ports, and CBP and GSA Have Developed a 5-Year Plan for Infrastructure Improvements

CBP's process for identifying and prioritizing capital infrastructure needs at land POEs consists of several steps, including gathering data using the SRA process, ranking the facilities by identified needs, conducting an analysis[42] on the initial ranking of needs, assessing project feasibility and risk; and establishing a capital investment plan. During the SRA, CBP evaluates the facility against more than 60 criteria to identify deficiencies that affect the following categories: mission and operations, security and life safety, space and site deficiency, and personnel and workload growth. CBP conducted an SRA of every land POE along both the northern and southern borders from fiscal years 2003 through 2006. CBP has concluded that most of the inspection facilities are outdated and were designed to accomplish legacy missions. On the basis of the assessments, CBP estimates that it will need over $6 billion during the next 10 years to modernize the land POE inventory to meet the operational requirements in a post- 9/11 environment and the workload demands of the 21st century. CBP began another round of SRAs in fiscal year 2008, and completion is scheduled for fiscal year 2011.

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[42] According to CBP, their analysis includes the collection of additional information from operational personnel at the port locations to identify existing regional or local conditions that might affect the initial facility ranking.

CBP and GSA have plans to make infrastructure improvements at a number of land POEs along the northern border designed to ease congestion, improve inspection capacity, and increase throughput. Over the next 5 years, CBP will have infrastructure projects related to 35 different northern border land POEs in various stages of development. Five of the 6 ports we visited have infrastructure improvement projects scheduled or pending approval. For example, CBP and other stakeholders initiated a project to expand and modernize the Blue Water Bridge plaza in Port Huron, Michigan, to alleviate congestion, eliminate bottlenecks, and enhance security. The project involves a complete redesign and construction of the bridge plaza, including all facilities utilized by CBP, the bridge owner, the Michigan Department of Transportation (MDOT), and other federal agencies. The Environmental Impact Study was approved in March 2009, and CBP expects construction to begin in early 2016, with completion projected for 2019. CBP estimates that the project will cost over $500 million. After the expansion, the facility is planned to increase from 12 to 56 acres, and the number of primary lanes is expected to increase from 13 to 24, which CBP officials said will result in increased throughput and reduced congestion. According to CBP, 15 of 24 lanes will be equipped with high-low booths to process passenger ("low") and commercial traffic ("high"), and 9 lanes will be dedicated to passenger vehicles to meet CBP's operational requirements.

In another example, infrastructure improvements are also planned for the Lewiston-Queenston crossing in Buffalo, New York. According to the May 2008 Lewiston-Queenston Facility feasibility study, the primary inspection lanes are inadequate to handle passenger and commercial vehicle traffic and improvements are needed (see fig. 7 for an aerial view of the Lewiston-Queenston Bridge Facility). The study further concluded that there are too few commercial inspection docks at Lewiston, and that the docks are undersized. At present, there are four commercial inspection docks and CBP plans to construct eight additional docks during renovation. CBP and the Niagara Falls Bridge Commission estimate that the Lewiston-Queenston renovation will cost about $117 million. According to CBP officials, CBP is planning to expand the Lewiston-Queenston Bridge Facility, but the design and construction

remain unfunded. Once funding is available, CBP expects design to be completed within 12 to 18 months and construction within 24 months.[43]

Figure 7: Aerial View of Lewiston-Queenston Bridge Facility

Source: Niagara Falls Bridge Commission.

CBP Has Made Incremental Infrastructure Enhancements That Have Helped to Improve Border Operations, Including a Reduction of Wait Times

CBP has made infrastructure improvements at five of six northern border land POEs we visited, which CBP officials and the seven importers, trade organizations, and border stakeholders said have helped to reduce congestion, improve the flow of traffic, and reduce border wait times. For example, in 2005, CBP made infrastructure improvements to the Peace Bridge inspection facility, which CBP officials told us has helped to ease congestion. Specifically, the number of primary lanes at the facility was increased from 8 to 11 car lanes and from 4 to 7 commercial vehicles lanes. Furthermore, five of the primary processing booths are high-low, which allows for flexibility in processing either cars or trucks, depending

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[43] In the interim, the Lewiston-Queenston Bridge facility is scheduled to receive $1 million in fiscal years 2010 and 2011 to renovate the administration building, build a new secondary processing area, and make other improvements.

on the specific demand, and maximizes available space (see fig. 8 for an example of high-low booths).

Figure 8: High-Low Processing Booth for Either Cars or Trucks Next to Four Regular Car Booths at the Port Huron Facility

Source: GAO.

Nine of 13 lanes at Port Huron, Michigan, were modified to equip them with high-low booths, and the Lewiston-Queenston Bridge Facility was remodeled to include high-low booths for either cars or trucks, where lanes change as needed based on traffic composition. Additionally, the Niagara Falls Bridge Commission increased the capacity of the bridge from four lanes to five lanes. As a result, there are now three U.S.-bound lanes—one for FAST, one for commercial vehicles, and one for personal cars (see figs. 9 and 10).

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Source: Niagara Falls Bridge Commission.

Source: GAO.

Moreover, CBP increased the number of primary lanes at the Ambassador Bridge Fort Street Cargo Facility and the Ambassador Bridge Plaza, which according to CBP has helped to ease traffic congestion and reduce delays. For example, in June 2008, the Ambassador Bridge Plaza was expanded from 12 to 19 primary lanes. According to CBP and the Ambassador Bridge Authority, the expansion helped to improve traffic flow and reduce congestion on the bridge. Further, in 2004, CBP increased the commercial processing capacity of the Ambassador Bridge Fort Street Cargo Facility by adding seven primary processing booths. Despite these incremental infrastructure changes, however, CBP officials at the six ports we visited told us that additional processing capacity is needed to accommodate projected traffic flows. As discussed earlier in the report, five of six ports we visited have infrastructure improvement projects planned or pending approval.

CBP Has Also Deployed Technological Infrastructure to Expedite Processing

CBP has also deployed automated license plate and document readers as well as other technology at the six POEs we visited, which CBP officials said have helped to facilitate vehicle processing. License plate readers automatically read front and rear license plates of vehicles as they enter the primary inspection area, with the data simultaneously queried against CBP and law enforcement databases. CBP has installed technology that can read documents enabled with Radio Frequency Identification Device (RFID) technology, which according to CBP speeds up processing. A driver who has a FAST card, for expedited processing, holds up the RFID-

enabled card before entering the booth. As a result, the driver's information is automatically displayed on the screen before the driver approaches the primary inspection booth. In addition, CBP officials said that use of nonintrusive technologies, such as the VACIS and RPM, have allowed CBP to inspect more shipments efficiently and reduced the number of physical inspections, which can be costly and time consuming. These technologies allow CBP to inspect cargo without having to perform a time-intensive manual search or other intrusive examinations of the contents. For example, CBP officials at the Peace Bridge told us that they scan over 100 commercial shipments a day using VACIS; however, prior to deploying VACIS, CBP officials said they unloaded and inspected only 12 commercial vehicles a day (fig. 11 shows a picture of a mobile VACIS). In general, CBP can use VACIS to avoid unloading of the contents of a truck, but at certain times a CBP officer may determine that a physical search is necessary.

Figure 11: Mobile VACIS Scanning Shipment in Secondary Inspection

Source: GAO.

Prior to the deployment of the current version of ACE, deployed in 2006, CBP did not receive advance e-Manifest on trucks crossing at land POEs. As a result, decisions on whether to release, examine, or detain a shipment had to be made at the primary inspection booth. With the deployment of new technologies such as ACE, CBP officials told us that officers spend less time manually inputting information, thereby reducing inspection times and improving the accuracy of the collected information. All of

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CBP's land border POEs are capable of receiving and processing e-Manifests as part of ACE. Moreover, according to CBP officials, more shipments are released at the primary inspection booth as a result of ACE and advance information provided via e-Manifest.

The Lack of Space Hampers More Comprehensive Infrastructure Improvements

Despite the incremental infrastructure improvements discussed earlier, CBP officials told us that limited space and equipment continue to affect CBP's inspection of commercial vehicles and operations at the six ports we visited. The Peace Bridge site is one of the busiest commercial crossings between the United States and Canada, yet existing border infrastructure at Peace Bridge contributes to a number of crossing inefficiencies, according to CBP. The facility, which is considered a large port, is located on 17 acres of land, as opposed to the 80 acres that CBP recommends for a large POE (see fig. 14). According to CBP, the port does not have the space to handle the number of vehicles referred for secondary inspections. The plaza is spatially constrained and lacks the space needed for the enclosed VACIS equipment to screen cargo vehicles in secondary inspections. As a result, officers can screen one commercial vehicle at a time. CBP officials told us that if the secondary inspection area is full, CBP officers must hold vehicles referred for secondary inspection in the primary lane, causing congestion and delays. In addition, we observed that because of the configuration of the port, vehicles referred to secondary inspections must cross paths with commercial vehicles exiting the primary inspection area, which contributes to border crossing inefficiencies and creates an obstructive intersection and safety and security risks. CBP and GSA are planning to expand and modernize the Peace Bridge Facility, but they have not yet requested funding for the facility due to federal budgetary scorekeeping rules governing leases.[44] However, once funding is available, CBP and GSA expect the design to be completed within 12 to 18 months and construction within 24 to 36 months.

As another example, the Lewiston-Queenston POE was constructed in the early 1960s and, with the exception of a few modifications (such as the

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[44] The Peace Bridge is a GSA-leased facility, and its development and modernization are subject to capital lease scoring. The federal budgetary scorekeeping rules, which are implemented primarily through Office of Management and Budget Circular No. A-11, require the full cost of construction to be recorded up front in the budget. Budget scorekeeping is the process of estimating the budgetary effects of pending and enacted legislation and comparing them with limits set in the budget resolution or legislation. Scorekeeping tracks data such as budget authority, receipts, outlays, the surplus or deficit, and the public debt limit.

increase in lanes from four to five), has remained unchanged, although security measures and traffic volume have increased over time. CBP has concluded that the main building and commercial building are too small to handle current operations and can no longer accommodate either the traffic or the complexity of processing operations required since 9/11. Specifically, CBP has concluded that there are inadequate primary inspection lanes to process car and truck traffic, the commercial inspection docks are undersized, and the secondary processing facilities are dated. For example, CBP noted that the work space is insufficient to accommodate existing staff and operations. In addition, the work areas are small and overcrowded, and there is no room for additional staff or functions. CBP and GSA are planning to expand the Lewiston-Queenston Bridge Facility, but they have not yet requested funding for the facility due to federal budgetary scorekeeping rules governing leases. However, once funding is available, CBP and GSA expect design to be completed within 12 to 18 months and construction within 24 months.

The Pacific Highway facility in Blaine, Washington, is one of the largest POEs for cargo processing on the northern border, and has three commercial inspection lanes. CBP managers stated that the Pacific Highway crossing needs more lanes to increase throughput, but the facility lacks the space needed to expand. According to CBP, there is limited room to expand without acquiring additional property. In addition to limited lanes, there is minimal staging area for trucks waiting for secondary inspections. When this occurs, the placement of VACIS causes backups. CBP officials told us that three trucks can queue at once for VACIS scans. When more than three trucks are referred to VACIS, CBP does not have space available on the plaza to queue additional vehicles and traffic blocks the primary lanes. Officials said this happens on a daily basis. As a result, when this happens, CBP officers told us that the primary officer has to decide whether to refer the shipment to secondary inspection, causing the lanes to shut down, or to keep traffic moving, facilitating the flow of commerce. According to CBP officials in Blaine, Washington, as the economy improves, infrastructure constraints will exacerbate delays at the port.

According to the Port Director at Port Huron, the lack of adequate physical space and infrastructure adversely affects port operations. CBP has concluded that the site size is inadequate to support operations. Specifically, officials stated that the facility is too small, with limited parking and space to off-load trucks, forcing officers to escort trucks elsewhere to be searched. CBP officials stated that they have to dedicate two staff to escort shipments to an off-site location for unloading and

inspection, which according to CBP is a security risk and takes staffing resources away from other critical port functions. Further, CBP officials explained that after the construction of the new plaza and cargo inspection facility, CBP will be able to inspect cargo on-site and will save on resources devoted to escorting trucks to off-site facilities. CBP officials stated and we observed that the facility has 22 inspection docks and they are too small to meet the inspection needs of the POE. CBP officers told us that the contents of a truck can take up the entire length of all the docks. We observed that Port Huron's 12-acre elevated inspection area, which sits 26 feet above ground, serves as the on and off ramps for the Blue Water Bridge from Interstates 69 and 94. The port is surrounded by commercial and residential developments, thus limiting CBP's ability to expand the plaza or add more lanes. CBP and MDOT have initiated plans to renovate Port Huron to alleviate congestion, reduce wait times, eliminate bottlenecks, and improve the inspection capacity. CBP expects construction to begin in 2016, with completion projected for 2019.

Moreover, CBP officials told us that although CBP recently made some infrastructure improvements at the Ambassador Bridge Fort Street Cargo facility, challenges remain. For example, due to limited physical space, we observed that the placement of VACIS causes backups in secondary inspections that slows throughput and the secondary RPM is placed directly in front of the VACIS machine. In addition to the location of the VACIS machine, all vehicles form one queue for screening. As a result, a shipment referred to secondary inspection for advanced RPM screening may be delayed if the VACIS machine is being used. CBP officials also told us that a wall surrounding the Ambassador Bridge Fort Street inspection plaza and the placement of one of the primary inspection booths ("lane 10") limits access to the dedicated FAST booths, as shown in figure 12. As a result, FAST trucks have to form a single queue and curve around both the wall and lane 10 to access the four dedicated FAST booths. CBP officials told us that they plan to improve access to the FAST lanes and increase throughput by expanding the queuing space available by removing the wall. Construction is expected to commence in September 2010 and completion is scheduled for November 2010.

Figure 12: Truck Curving around Wall and Lane 10 to Access FAST Booths Ahead
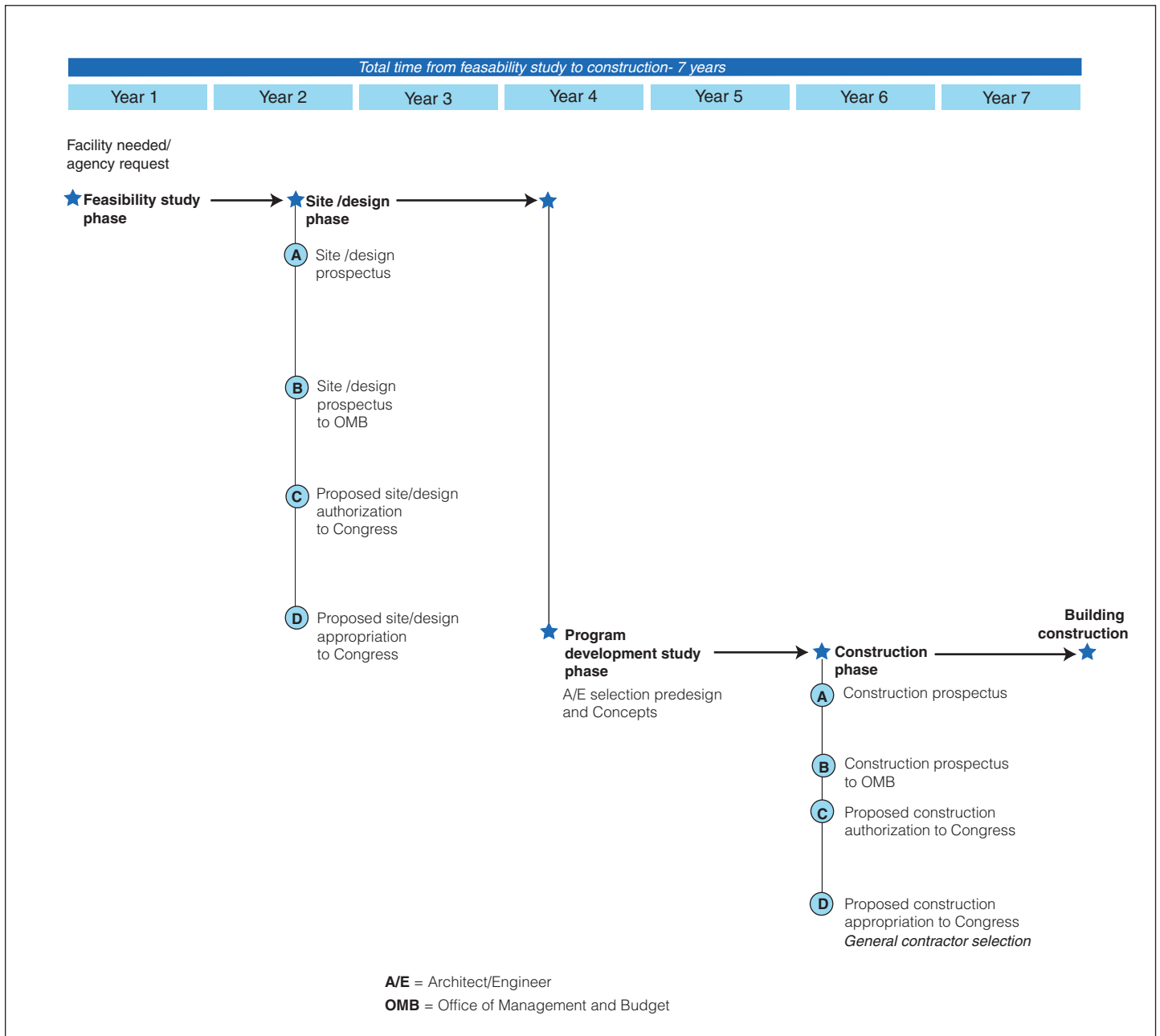

Source: GAO.

Although CBP has a process for prioritizing infrastructure needs, it faces challenges in addressing identified issues, according to CBP officials responsible for infrastructure improvements. CBP works with GSA to coordinate infrastructure projects with other stakeholders, such as private bridge authorities and state departments of transportation. The process for making capital improvement projects, such as building new lanes or secondary inspection facilities, is lengthy. According to CBP and GSA officials, the process for submitting a request for an infrastructure improvement and completion of the project is approximately 7 years. For example, CBP officials told us that the Peace Bridge improvement project that occurred in 2005 took at least 5 years from start to completion. Prior to every construction project, GSA conducts a feasibility study—the study defines the project's scope, including the budget; the amount of land required; the basic design; and the environmental challenges as well as the community impact. GSA officials told us that they use the results of the feasibility studies to justify the funding requests submitted to the Office of Management and Budget (OMB). See figure 13 for GSA's land POE capital program delivery process.

Figure 13: GSA Land Port of Entry Capital Program Delivery Process

Total time from feasability study to construction- 7 years						
Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7

Facility needed/
agency request

★ **Feasibility study phase** → ★ **Site /design phase** → ★

- Ⓐ Site /design prospectus
- Ⓑ Site /design prospectus to OMB
- Ⓒ Proposed site/design authorization to Congress
- Ⓓ Proposed site/design appropriation to Congress

★ **Program development study phase** → ★ **Construction phase** → ★ **Building construction**

A/E selection predesign and Concepts

- Ⓐ Construction prospectus
- Ⓑ Construction prospectus to OMB
- Ⓒ Proposed construction authorization to Congress
- Ⓓ Proposed construction appropriation to Congress
  General contractor selection

A/E = Architect/Engineer

OMB = Office of Management and Budget

Source: GAO analysis of GSA information.

Furthermore, CBP and GSA officials said that land constraints affect their ability to make infrastructure improvements. For example, CBP officials said that they have been discussing plans to expand the Peace Bridge Facility for the past 10 years. Although CBP recognizes that increasing the size of the Peace Bridge Inspection Facility is necessary to address capacity issues, there is limited room adjacent to the facility for expansion without affecting the surrounding community. The facility sits on 17 acres and is confined on three sides by the Niagara River, a historic park, and a residential neighborhood. See figure 14 for an overhead view of the Peace Bridge Facility. Further, the Port Huron Facility is scheduled for renovation starting in fiscal year 2016 with completion in 2019. Due to the lack of space for expansion, CBP officials told us that MDOT used eminent domain law—the government's power to take private property for a public use while fairly compensating the property owner—to purchase nearby homes and businesses to acquire land for the plaza expansion project.

Figure 14: Overhead View of Peace Bridge Facility in Buffalo, New York

Source: Peace Bridge Authority.

According to GSA officials, securing funding for infrastructure projects is also dependent on the annual budget cycle. On average, it takes about 18 months to obtain funding for large projects after GSA submits its proposal to OMB for approval. GSA officials also told us that they may not get the full amount of funds requested for infrastructure projects due to competing priorities, which affects their ability to make infrastructure changes, such as resizing the roads leading to the POEs. Table 2 provides information on GSA funding requests and appropriations for the POE capital investment and leasing program for fiscal years 2003 through 2010.

Additionally, CBP and GSA officials said that they have to coordinate with multiple stakeholders, including city and state governments, to address infrastructure needs because the bridges and roads leading to the POEs are owned by private entities or state governments. GSA officials noted that coordinating with multiple stakeholders to address infrastructure issues can be time consuming.

Table 2: GSA Funding Requests and Appropriations for Capital Investment and Leasing Program for Land Ports of Entry, Fiscal Years 2003 through 2010

Dollars in millions

	Funding	
Fiscal year	**Requests**	**Appropriation**
2003	$33,075,000	$37,075,000
2004	186,037,000	182,037,000
2005	84,973,000	84,973,000
2006	211,761,000	211,761,000
2007	96,539,000	100,397,000
2008[a]	154,688,000	339,509,000
2009[b]	374,114,000	374,114,000
2010	151,129,000	151,129,000
Total	**$1,292,316,000**	**$1,480,995,000**

Source: GAO analysis based on data from GSA.

[a]The total fiscal year 2008 appropriation includes $225,000,000 in Emergency Designation funding.

[b]The total fiscal year 2009 appropriation includes $300,000,000 appropriated under the American Recovery and Reinvestment Act of 2009.

CBP Lacks Data to Assess the FAST Program, but CBP, Selected Importers, and Trade Organizations Report Generally Favorable Reviews Where Infrastructure Is Available

CBP Lacks the Data to Assess Whether FAST Participants Are Experiencing Intended Benefits, but Is Taking Action to Collect the Data

Although CBP established the FAST program to expedite cargo processing for low-risk shippers and uses the program as a tool to help focus its inspections, targeting resources on areas of greatest risk, it lacks the data needed to determine whether the FAST program is effective because it collects incomplete data on FAST shipments. Moreover, data collected by CBP on primary and secondary inspections for a subset of the FAST population do not allow it to determine whether all FAST participants experience reduced wait times to reach primary processing, are less frequently referred to secondary inspections, or receive "front-of-the-line" benefits.[45] The FAST program is intended to provide, among other things, (1) access to dedicated lanes (where available) to increase the speed and efficiency of clearing the border, (2) fewer referrals to secondary inspections for FAST participants, and (3) front-of-the-line processing (i.e., priority in the inspection queue) for CBP inspections.[46] Additional

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[45] According to CBP, the front-of-the-line examination privilege applies to all C-TPAT shipments regardless of whether they are FAST shipments and to the extent possible and practicable in each port. CBP does not believe it is feasible to track this benefit at this time due to current port infrastructure and resource issues.

[46] For the purpose of this review, we focused on three FAST program benefits that are pertinent to processing at land POEs. Other benefits of the FAST program include enhanced supply chain security while protecting the economic prosperity of the United States, Mexico, and Canada; the knowledge that carriers are transporting shipments for an approved C-TPAT importer; and using the FAST driver card as a Western Hemisphere Travel Initiative—compliant document.

details on the data limitations to assess access to dedicated lanes, fewer referrals to secondary inspections, and front-of-the-line benefits for FAST participants are discussed below.

Access to Dedicated FAST Lanes

Seven of 122 northern border POEs had dedicated FAST lanes, which accounted for approximately 54 percent of the volume of commercial traffic along the northern border in 2009. See figures 15 and 16 for examples of a dedicated FAST lane at the Pacific Highway crossing in Blaine, Washington, and in Port Huron, Michigan, respectively. However, CBP is unable to monitor wait times for FAST shipments using dedicated lanes to determine if the shipments are experiencing reduced wait times in reaching primary processing because of data limitations and other factors. CBP reported that wait times for FAST lanes at individual ports were shorter than those for non-FAST lanes. However, because dedicated FAST lanes are sometimes used for regular commercial traffic during periods of heavy volume, the data collected at the individual POE level for FAST dedicated lane wait times are less useful for comparison. For example, at the Pacific Highway crossing in Blaine, Washington, CBP officials said that when wait times exceed 1 hour, they open the FAST lane to all commercial traffic. Similarly, at the Port of Detroit, CBP has the ability to adjust the FAST lanes and open them to non-FAST traffic on a temporary basis. Moreover, the CBP officials stated that if the FAST lane is empty, the Port Director has discretion in determining whether to allow non-FAST shipments to use the lane (e.g., livestock shipments or FAST drivers not carrying a FAST load).

Source: GAO.

Figure 16: A FAST-Dedicated Booth in Port Huron, Michigan

Source: GAO.

Fewer Referrals to Secondary Inspections

The data CBP collects that could be used to determine whether FAST participants experience reduced wait times at primary processing and fewer referrals to secondary inspections are limited because CBP does not differentiate between all FAST and non-FAST shipments. DHS noted that dedicated FAST lanes enable greater processing efficiency, thereby reducing queue lengths and wait times. DHS stated that lanes dedicated to FAST have average primary processing times of 30 seconds versus non-FAST lanes at 2 minutes. However, as explained below, these averages account for approximately 38 percent of FAST participants. The ACE system, through which data on commercial shipments are collected by CBP, captures data on the NCAP and PAPS manifest types. The NCAP manifest is available to select FAST shipments mostly related to the auto industry. A majority of FAST shipments are processed under the PAPS manifest type. However, the PAPS manifest is not confined to the FAST program so shipments processed using the PAPS manifest include both FAST and non-FAST shipments. If a FAST shipment is processed using

PAPS, the ACE system uses information submitted on the electronic manifest to determine whether the shipment meets all the conditions of the FAST program (e.g., the driver has a FAST card and the carrier and importer are C-TPAT certified). If these conditions are met and the shipment is eligible for FAST, ACE displays a green flag to the officer processing the shipment in the primary lane. Although the purpose of this process is to speed processing for shipments, ACE does not save this information so it cannot be used to assess processing times for all FAST versus non-FAST shipments. The ACE system also uses information in the manifests to help determine the need for secondary screening, but for the same reasons discussed above, the system does not collect information on the number of secondary screenings for all FAST versus non-FAST shipments. Consequently, CBP is unable to determine whether the program provides all participants with the intended benefits of reduced primary processing times and fewer referrals to secondary inspections.

CBP acknowledged that the ACE system needs to be modified so that it can monitor and record FAST primary processing times and the number of referrals to secondary inspections more effectively. CBP began to consider enhancing ACE to better differentiate between FAST and non-FAST shipments in 2008 and estimates that the software changes would cost about $122,000.[47] However, senior CBP officials said that the project remains unfunded due to other priorities. While we recognize that CBP has competing priorities and that assessing a program's impact or benefit is often difficult, determining whether a program achieves its intended results can provide important information about the program's progress and be used as a basis for determining whether adjustments are needed to ensure its long-term success. Further, a senior CBP official, Chief of Cargo Operations, stated that CBP has not yet established timelines or milestones for completing the ACE enhancement project to capture data for all FAST participants because officials have not identified a source of funding. Standard practices for project management established by the Project Management Institute state that managing a project involves, among other things, developing a timeline with milestone dates to identify points throughout the project to reassess efforts under way to determine whether project changes are necessary.[48] Establishing timelines or milestones for completing the enhancement to ACE could help ensure that

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[47] CBP officials said they did not consider enhancing ACE to capture all FAST data prior to 2008 because they were overcome by events and other priorities.

[48] The Project Management Institute, *The Standard for Program Management*.

CBP's actions are implemented as planned so that it is better positioned to begin collecting the data necessary to determine whether FAST shipments are receiving the intended benefits of the program—shorter primary processing times and fewer referrals to secondary inspections. Additionally, although CBP stated that once ACE is modified to collect data on all FAST participants, the data may be useful for measuring program benefits, CBP has no plans to conduct a study on whether the benefits are being realized. Our previous work identified program evaluations or similar studies as a way for agencies to explore the benefits of a program as well as ways to improve program performance.[49] Therefore, using this information to conduct a study would enable CBP to determine if the benefits are experienced by all FAST participants and what program adjustments, if any, may be needed.

Front-of-the-Line Processing for CBP Inspections

Moreover, CBP does not collect data on whether FAST shipments that are sent to secondary inspections receive priority in the inspections queue, known as front-of-the-line benefits. CBP officials in headquarters said the ACE enhancement project will not allow CBP to capture data on front-of-the-line benefits and there are no current plans to capture these data. CBP officials stated that front-of-the-line benefits may vary based on the infrastructure at the POE, traffic volume, and the type of exam needed (e.g., paperwork issue or physical inspection/unloading). Moreover, according to CBP officials, space constraints in secondary inspection areas limit their ability to provide front-of-the-line benefits to all FAST participants. For example, CBP officials at the Pacific Highway crossing told us that due to space constraints on the plaza, they cannot move FAST shipments to the front of the line for VACIS screenings. However, in some instances, FAST members receive priority processing for paperwork issues, but they have to wait in line for other types of inspections, such as physical inspections or VACIS screening due to infrastructure issues. CBP is working to address challenges it is facing related to infrastructure constraints, and until there are results, CBP will not be able to develop a standard data collection method for front-of-the-line benefits because of the variations in infrastructure across POEs.

Collecting data on the FAST program could better position CBP to gauge program effectiveness and determine what program adjustments, if any, are needed. *Standards for Internal Control in the Federal Government*

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[49] GAO, *Secure Border Initiative: Technology Deployment Delays Persist and the Impact of Border Fencing Has Not Been Assessed*, GAO-09-896 (Washington, D.C.: Sept. 9, 2009).

requires that all transactions be clearly documented in a manner that is complete, accurate, and useful for managers and others involved in evaluating operations.[50] Moreover, internal control standards call for agencies to establish policies and procedures to ensure the validity and reliability of data. We previously reported that leading organizations promote accountability by establishing results-oriented goals and corresponding performance measures by which to gauge progress.[51] Having better information with which to assess program effectiveness would help CBP in making management decisions on the program and would enable CBP management to report to participants and potential future participants whether the benefits of the program are being realized. This information would help participants determine whether to join or remain in the program.

CBP and Participants in FAST That We Interviewed Have Generally Favorable Reviews of the Program, but Report That Infrastructure Issues May Limit the Benefits Received

CBP and 8 of 11 importers and trade organizations that we interviewed have expressed generally favorable views of the program, but stated that infrastructure challenges may limit the benefits received. According to CBP officials, the FAST program helps the agency meet its goal of securing borders while promoting legitimate trade by pre-vetting drivers and securing the supply chain, which allow CBP to focus its resources on high-risk shipments. For example, CBP officials in Port Huron, Michigan, told us that the FAST program is beneficial to CBP because it facilitates the processing of low-risk shipments, and improves the flow of traffic by reducing congestion on the Blue Water Bridge. CBP officials at the Port of Detroit and Port Huron also noted that FAST participants benefit from the FAST program with faster primary processing and front-of-the-line benefits. Moreover, officials we spoke to representing "The Big 3" automakers—Ford, GM, and Chrysler[52]—are generally satisfied with the FAST program, and noted that FAST is a vital program that decreases border delays while ensuring a more secure supply chain. For example, these officials stated that they receive fewer referrals to secondary inspections, and told us that when their shipments are referred to secondary inspection they generally receive priority processing. Additionally, five trade organizations, such as the Detroit Regional

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[50] GAO/AIMD-00-21.3.1.

[51] GAO, Executive Guide: Effectively Implementing the Government Performance and Results Act, GAO/GGD-96-118 (Washington, D.C.: June 1996).

[52] The Big 3, along with two other companies (Delphi and Bosch) use the NCAP manifest. They account for approximately 38 percent of all FAST shipments.

Chamber of Commerce, American Trucking Alliance, and customs brokers, noted that certain intended benefits are met, including fewer inspections.

However, these groups raised concerns about infrastructure constraints. CBP officials said that FAST program benefits may be limited due to infrastructure constraints at land POEs. As previously discussed, only 7 of 122 northern border POEs have dedicated FAST lanes. Further, officials from 7 of 10 trade organizations and importers, such as the Canadian Trucking Alliance, the U.S. Chamber of Commerce, the Detroit Regional Chamber, and Customs Brokers and Forwarders, as well as officials from 7 of 13 border stakeholders we spoke with, such as bridge commissions, stated that CBP lacks the infrastructure needed to successfully implement the FAST program. For example, American Trucking Association officials told us that a challenge trucking companies continue to face is the lack of dedicated lanes leading to the POE so that FAST traffic is not comingled with non-FAST traffic. As a result, FAST shipments do not receive priority treatment due to non-FAST and FAST shipments comingling on the bridge as well as in the plaza and infrastructure constraints at the POEs. CBP officials acknowledge that due to infrastructure constraints they are unable to provide dedicated FAST lanes at certain locations, such as the Peace Bridge and Lewiston facilities in Western New York. These constraints also make access to existing FAST booths difficult. As previously discussed, access to the dedicated FAST lanes at the Ambassador Bridge Fort Street Cargo Facility is limited due to the placement of lane 10 and a wall surrounding the inspection plaza, as shown in figure 17. Due to these infrastructure constraints, FAST trucks have to form a single queue to access the four dedicated FAST booths, resulting in reduced throughput and increased delays.

Figure 17: FAST Truck Curving around Lane 10 and Heading toward Dedicated FAST Booths Ahead

Source: GAO.

Further, the Pacific Highway crossing in Blaine, Washington, has three commercial lanes with one dedicated FAST lane and limited space for expansion due to residential development and the international border. Although the Pacific Highway crossing has a dedicated FAST lane, CBP officials told us that when wait times exceed 1 hour, they open the FAST lane to all commercial traffic to mitigate congestion. As a result, FAST trucks are comingled with non-FAST traffic. CBP officials also stated that due to limited space for queuing in the secondary inspection area, they are unable to provide FAST shipments with priority processing for VACIS screening.

Additionally, 10 of the 23 importers, trade organizations, and border stakeholders we interviewed voiced concerns about the FAST program. These concerns included the costs of enrollment as well as FAST program policy issue such as shipment restrictions and the appeals process for security incidents.

- Officials from the American Trucking Alliance and five other trade organizations, such as the Canadian Trucking Alliance and National

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Customs Brokers and Forwarders Association, stated that smaller and medium-sized companies may not be able to afford the cost associated with C-TPAT compliance. While the enrollment cost of the FAST program is $50 for the driver card, FAST participants are also required to be certified under C-TPAT. According to CBP, the potential cost of implementing security measures to comply with C-TPAT varies by the size of the company as well as the types of security measures implemented. CBP officials stated that the cost for a company to become C-TPAT certified will vary because the cost of securing the supply chain varies depending on the size of the company or security measures needed.

- Six importers and trade organizations raised concerns about the restrictions on carriers that are transporting goods from multiple shippers that, in total, are less than the size of one truckload (called less-than-truckload shipments or LTL). CBP officials explained that LTL shipments are allowed to use the FAST lane provided each of the shippers are C-TPAT-certified members and all other FAST requirements are met. CBP stated that this policy ensures that LTL shipments using the FAST lane have completed a strict security review by participating member companies. Further, according to CBP, it needs to maintain a balance between facilitating trade and security. Therefore, CBP restricts LTL shipments from using the FAST lane if all of the shippers are not C-TPAT-certified members because the entire shipment is not pre-vetted and deemed low risk.

- Four importers and trade organizations noted that CBP immediately suspends a member's FAST privileges if a driver is involved with a security incident until the results of the investigation are final. CBP officials stated that the agency immediately revokes all program privileges following the security violation rather than after the investigation and imposes program restrictions to secure the supply chain and maintain the integrity of the program. According to CBP, on average, it takes about 15 days to conduct the post incident analysis in coordination with other law enforcement agencies to determine where the breakdown in the supply chain occurred. CBP officials said that if a member is suspended after the investigation, the member may appeal this decision to CBP headquarters. According to CBP, in general, members are provided with the opportunity to prepare a corrective action plan, which is subject to physical confirmation that all identified vulnerabilities have been addressed. For example, in 2009, CBP suspended or removed 82 members, 57 of which were reinstated. However, CBP officials explained that in some instances, a company may be permanently removed from the program for providing false information or for repetitive security violations. Further, CBP officials

emphasized that members are informed of the appeals and suspension process, and the information is provided on CBP's Web site.

Conclusions

Canada is the United States' largest single trading partner, and economists expect trade between the two countries to increase as the economy improves. As such, achieving an effective balance between facilitating legitimate trade and travel and performing the inspections needed to secure the U.S. border is critical to the security and economy of the United States. Further, CBP has taken steps to address some of the infrastructure needs of its aging northern border POEs and recognizes the continued need for improvements to speed the flow of traffic. These improvements are particularly important in light of projections regarding the increase in trade between Canada and the United States. Cooperative U.S.-Canada efforts to increase the flow of legitimate trade and travel and improve border security, such as the FAST program, are promising, and CBP and participants we interviewed generally believe the program is helpful where infrastructure is sufficient. While CBP is taking actions to collect data on the FAST program in the ACE database, CBP has not established milestones to complete the enhancement for FAST data collection. Establishing milestones for completing the enhancement to ACE could help ensure that CBP's actions are implemented as planned so that it is better positioned to begin collecting the data necessary to determine whether FAST shipments are receiving the intended benefits of the program—shorter primary processing times and fewer referrals to secondary inspections. Moreover, once CBP completes the enhancement to the ACE database, using this information to conduct a study would enable CBP to determine if the benefits are experienced by all FAST participants and what program adjustments, if any, are needed.

Recommendations for Executive Action

To enhance DHS's ability to assess the effectiveness of the FAST program, we recommend that the Commissioner of CBP take the following two actions:

- Develop and meet milestones for completing the enhancement of the ACE database to capture data on the intended benefits of the FAST program.
- Once the database is modified, use the data collected to conduct a study to determine whether the FAST program is achieving its intended benefits.

Agency Comments and Our Evaluation

We provided a draft of this report to DHS, Commerce, DOT, GSA, and HHS for review and comment. DHS provided written comments on July 9, 2010, which are reprinted in appendix I. In commenting on the draft report, DHS stated that it agreed with the two recommendations in this draft and identified corrective actions it has planned or under way to address them.

DHS's comments also raised three issues regarding our findings. First, DHS stated that its current approach to measuring wait times shows that those drivers using FAST lanes experience shorter wait times. While average wait times for FAST lanes may be shorter than average wait times for regular commercial lanes, as indicated in the report, we found that the wait times reported for FAST lanes do not necessarily reflect participants' wait times as dedicated lanes may be used by FAST and non-FAST participants. Moreover, we reported that because CBP's wait times are estimated using approximations of varying reliability at selected POEs, the data cannot be used for analyses across ports, and the methods of collection raise questions about the reliability of the overall data.

Second, DHS commented that the discrepancies in wait times reported between CBP, trade organizations, and importers may be attributed to the different measures and definitions used to estimate wait times. We acknowledge there could be a variety of reasons for the discrepancies in wait times reported by CBP, trade organizations, and importers. However, CBP's observation further supports our conclusion that using a consistent methodology, standard formula, and automation could increase the accuracy and reliability of the wait times data collected.

Third, DHS stated that CBP primary officers at the primary inspection point can only add the driver and trailer information to a FAST/NCAP manifest, and not the quantity of shipment. We revised the draft report to reflect this information.

We received written comments from Commerce on July 2, 2010, in which it concurred with our report. These comments are reprinted in appendix II. DHS and DOT also provided technical comments, which we incorporated in the report as appropriate. In addition, we received e-mails from the GSA liaison on June 2, 2010, and the HHS liaison on June 29, 2010, in which they notified us that they had no comments on the draft report.

We are sending copies of this report to the Secretaries of Commerce, Health and Human Services, Homeland Security, and Transportation; the Administrator of GSA; and interested congressional committees as

appropriate. The report also is available at no charge on the GAO Web site at http://www.gao.gov.

If you or your staff have any questions about this report, please contact me at (202) 512-8777 or stanar@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix III.

Sincerely yours,

Richard M. Stana
Director, Homeland Security and Justice Issues

Appendix I: Comments from the Department of Homeland Security

Homeland
Security

July 9, 2010

Mr. Richard M. Stana
Director, Homeland Security and Justice Issues
U.S. Government Accountability Office
441 G Street, NW
Washington, D.C. 20548

Dear Mr. Stana:

Thank you for providing us with a copy of the Government Accountability Office's
(GAO) draft report entitled, "BORDER SECURITY: CBP Lacks the Data Needed to
Assess the Free and Secure Trade (FAST) Program and U.S. Northern Border Ports"
(GAO-10-694). U.S. Customs and Border Protection (CBP) concur with the
recommendations and offer the following comments.

The GAO incorporated earlier feedback from CBP by including a comment that "wait times
for FAST lanes at individual ports were shorter than those for non-FAST lanes." However,
the GAO continues to state that "because dedicated FAST lanes are sometimes used for
regular commercial traffic during periods of heavy volume, the data collected at the individual
ports of entry (POE) level for FAST dedicated lane wait times is less useful for comparison."
GAO goes on to provide the example that "at Pacific Coast Highway crossing in Blaine,
Washington, CBP officials said that when wait times exceed 1 hour, they open the FAST lane
to all commercial traffic." Doing that would only add to the wait time at the dedicated FAST
lane at the Pacific Coast Highway crossing, yet during all of FY09 the average wait time at
the FAST lane was less than 1 minute, while the average wait time at the regular commercial
lanes was nearly 9 minutes. GAO accurately documents CBP's challenges of measuring wait
times, but CBP believes its current approach to measuring wait times clearly shows that those
drivers using FAST lanes experience shorter wait times.

The report also discusses the discrepancies in wait times reported between CBP, trade
organizations and importers. These discrepancies can also be attributed to the fact that
different measures/definitions of wait times are employed. CBP measures wait times from
end of queue to primary booth. Trade organizations and importers use total crossing times to
define border wait times, which includes vehicle queue time, primary processing time/dwell
time, state inspection processing, etc.). The lack of a standardized "wait time" definition has
been an ongoing issue between border agencies and trade organizations.

Finally, the report infers that all information not collected on a FAST/NCAP (National
Customs Automation Program) manifest can be added by CBP Officer on primary. This is
not accurate. The CBP Officers can only add driver information and trailer plate information.
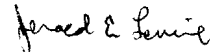They cannot add any of the missing shipment data such as piece count. These are added by

the broker when the entry summary is filed, up to 10 days after crossing, or the broker will
file the entry information if the shipment is sent to secondary for trade enforcement.

Thank you for the opportunity to comment on this Draft Report and we look forward to
working with you on future homeland security issues.

Sincerely,

Jerald E. Levine
Director
Departmental GAO/OIG Liaison Office

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Appendix II: Comments from the Department of Commerce

JUL 12 2010

UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for International Trade
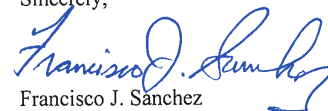Washington, D.C. 20230

Mr. Richard Stana
Director, Homeland Security and Justices Issues
U.S. Government and Accountability Office
441 G Street, N.W.
Washington, DC 20548

Dear Mr. Stana:

Thank you for forwarding the draft report titled, "Border Security: CBP Lacks the Data Needed to Assess the FAST Program at U.S. Northern Border Ports," GAO 10-694. The International Trade Administration (ITA) concurs with the report and does not have any comments.

We appreciate the opportunity to provide comments on the draft report. If you have any questions or comments about ITA's review of the draft, please contact Victor E. Powers, Director, Office of Management and Operations, at (202) 482-5436.

Sincerely,

Francisco J. Sánchez

INTERNATIONAL
TRADE
ADMINISTRATION

Appendix III: GAO Contact and Staff Acknowledgments

GAO Contact

Richard M. Stana, (202) 512-8777 or stanar@gao.gov

Acknowledgments

In addition to the contact named above, Susan Quinlan, Assistant Director, and Minty M. Abraham, Analyst-in-Charge, managed this assignment. David P. Alexander, Avrum I. Ashery, Chuck Bausell, Frances Cook, Peter DelToro, Lara Kaskie, Alana R. Miller, Madhav S. Panwar, and Mark Ramage made significant contributions to the report.

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