Homeland Security

Privacy Office, Mail Stop 0550

November 7, 2007

Mr. David L. Sobel
Electronic Frontier Foundation
1875 Connecticut Avenue, N.W.
Suite 650
Washington, DC 20009

Re: **DHS/OS/PRIV 07-160/Sobel request**

Dear Mr. Sobel:

This is our eighth partial release to your Freedom of Information Act (FOIA) requests to the Department of Homeland Security (DHS), dated November 7, 2006 and December 6, 2006, requesting DHS records concerning the Automated Targeting System (ATS). These two requests were aggregated to simplify processing. The following is a consolidated list of records requested:

1. All Privacy Impact Assessments prepared for the ATS system or any predecessor system that served the same function but bore a different name.
2. A Memorandum of Understanding executed on or about March 9, 2005 between Customs and Border Protection (CBP) and the Canada Border Services Agency to facilitate the Automated Exchange of Lookouts and the Exchange of Advance Passenger Information.
3. All records, including Privacy Act notices, which discuss or describe the use of personally-identifiable information by the CBP (or its predecessors) for purposes of screening air and sea travelers.
4. All System of Records Notices (SORNs) that discuss or describe targeting, screening, or assigning "risk assessments" of U.S. citizens by CBP or its predecessors.
5. All records that discuss or describe the redress that is available to individuals who believe that the ATS contains or utilizes inaccurate, incomplete or outdated information about them.
6. All records that discuss or describe the potential consequences that individuals might experience as a result of the agency's use of the ATS, including but not limited to arrest, physical searches, surveillance, denial of the opportunity to travel, and loss of employment opportunities.
7. All records that discuss or identify the number of individuals who have been arrested as a result of screening by the ATS and the offenses for which they were charged.
8. All complaints received from individuals concerning actions taken by the agency as a result of ATS "risk assessments" or other information contained in the ATS, and the agency's response to those complaints.
9. All records that discuss or describe Section 514 of the Department of Homeland Security Appropriations Act, 2007, P.L. 109-295 (H.R. 5441) and its prohibition against the development or testing of "algorithms assigning risk to passengers whose names are not on Government watch lists."
10. All records that address any of the following issues:
    a. Whether a system of due process exists whereby aviation passengers determined to pose a threat are either delayed or prohibited from boarding their scheduled flights may appeal such decision and correct erroneous information contained in the ATS;

b. Whether the underlying error rate of the government and private databases that will be used in the ATS to assign a risk level to an individual will not produce a large number of false positives that will result in a significant number of individuals being treated mistakenly or security resources being diverted;

c. Whether the agency has stress-tested and demonstrated the efficacy and accuracy of all search tools in the ATS and has demonstrated that the ATS can make an accurate predictive assessment of those individuals who may constitute a threat;

d. Whether the Secretary of Homeland Security has established an internal oversight board to monitor the manner in which the ATS is being developed and prepared;

e. Whether the agency has built in sufficient operational safeguards to reduce the opportunities for abuse;

f. Whether substantial security measures are in place to protect the ATS from unauthorized access by hackers or other intruders;

g. Whether the agency has adopted policies establishing effective oversight of the use and operation of the system;

h. Whether there are no specific privacy concerns with the technological architecture of the system;

i. Whether the agency has, pursuant to the requirements of section 44903(i)(2)(A) of Title 49, United States Code, modified the ATS with respect to intrastate transportation to accommodate states with unique air transportation needs and passengers who might otherwise regularly trigger a high risk status; and

j. Whether appropriate life-cycle estimates, expenditure and program plans exist.

Our November 1, 2007 letter summarized our processing of your request. Our searches directed to the DHS Office of the Executive Secretariat (ES), DHS Office of Policy (PLCY), DHS Privacy Office (PRIV), DHS Office of General Counsel (OGC), the Transportation Security Administration (TSA), and the U.S. Customs and Border Protection (CBP) have thus far produced a combined total of 1,072 pages. Out of those 1,072 pages, we provided you with a combined total of 620 pages with certain information withheld pursuant to the FOIA. We have continued to process your request within CBP.

A search directed to CBP has produced an additional 223 pages of records responsive to your request. We have determined that 74 pages are releasable to you in their entirety, and 149 pages are releasable to you with certain information withheld pursuant to Exemptions 2, 5, 6, 7C and 7E of the FOIA.
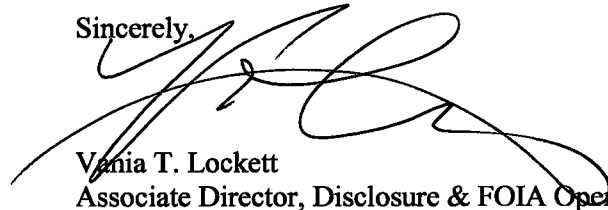
We further notified you in our November 1, 2007 letter that while processing FOIA request number DHS/OS/PRIV 07-90/Hofmann request, documents originating with PLCY were found to be responsive to this request. We are continuing our consultation with other offices concerning the additional supplemental PLCY documents and will respond to you regarding those documents once our consultations are completed.

Enclosed are 223 pages of releasable information. The withheld information, which will be noted on the Vaughn index when completed, consists of names, telephone numbers, email addresses, deliberative material, legal opinions, law enforcement information, and homeland security information. I am withholding this information pursuant to Exemptions 2, 5, 6, 7C and 7E of the FOIA, 5 U.S.C. §§ 552 (b)(2), (b)(5), (b)(6), (b)(7)(C) and (b)(7)(E). Exemption 2(high) protects information applicable to internal administrative matters to the extent that disclosure would risk circumvention of an agency regulation or statute, impede the effectiveness of an agency's activities, or reveal sensitive information that may put the security and safety of an agency activity or employee at risk. Included within such information may be operating rules, guidelines, manuals of procedures for examiners or adjudicators, and homeland security information. Exemption 2(low) protects information applicable to internal administrative personnel matters to the extent that the information is of a relatively trivial nature. Exemption 5 exempts from disclosure certain inter- and intra-agency communications protected by deliberative process privilege, attorney work-product privilege, and attorney-

client privilege. Exemption 6 exempts from disclosure records the release of which would cause a clearly unwarranted invasion of personal privacy. Exemption 7C protects records or information compiled for law enforcement purposes that could reasonably be expected to constitute an unwarranted invasion of personal privacy. Exemption 7E protects records compiled for law enforcement purposes, the release of which would disclose techniques and/or procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law.

This completes our processing of your request as it relates to DHS and CBP, except for supplemental documents found in PLCY, the CBP Office of Chief Council, and the CBP Office of Information Technology. Our office continues to process your request as it pertains to those entities. If you have any questions regarding this matter, please refer to **DHS/OS/PRIV 07-160/Sobel request**. This office can be reached at 866-431-0486. Thank you for your patience as we proceed with your request.

Sincerely,

Vania T. Lockett
Associate Director, Disclosure & FOIA Operations

Enclosures: 223 pages

**U.S. Customs and
Border Protection**

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS

FROM: Executive Director
                                       National Targeting and Security

SUBJECT: Verification of User Roles in ATS-P Due to Restrictions on
                                       Access to Passenger Name Record (PNR) Data (TC # 07-1631)

Following the recommendation of a recent audit by the DHS Office of the Inspector General
(OIG), National Targeting and Security (NTS) is conducting a comprehensive audit and
verification of user accounts within the Automated Targeting System – Passenger (ATS-P).   In
support of this effort, NTS will be removing ATS-P access for users whose accounts have been
inactive for the past 90 days. The remaining users must have their accounts verified to determine
if the level of access for each user remains appropriate.

CBP has created "user roles" within the Automated Targeting System – Passenger (ATS-P) for
accessing PNR information. "User roles" determine the types of data an officer may access and
the length of time the data is available for viewing in the automated system. Four user roles are
designated for officers who currently require access to ATS-P. OFO-NTS will send each Field
Office a list of their officers who have this access. Each Field Office will be responsible for
ensuring those officers who currently have access to ATS-P are placed into one of the following
four applicable categories:

b2 high
&
b7E

b2 high
&
b7E

Please review the attached list for your Field Office and verify if the data is accurate, or indicate if correction is necessary. Please send responses to (b6) by COB October 12, 2007. Should you or your staff have any questions, please contact (b6) at (b2), email (b2 & b6) or (b6) t (b2) email (b2 & b6)

b6

Issue: Recommended Policy Modifications for Retention of ATS Data

Background: The Automated Targeting System (ATS-P) Passenger is a proven powerful tool that enables designated users to identify high-risk individuals for possible involvement in all types of transnational crime, including terrorism, money laundering and other related crimes. The ATS system includes information from TECS such as Advanced Passenger Information System data, border crossing and subject records. The system also contains Passenger Name Records directly transmitted by the airlines. The information derived from these sources both current and accumulative provides essential research information.

Recently, CBP and the DHS Privacy Office issued a System of Record Notice and Privacy Impact Assessment on the Automated Targeting System. During the official comment period on the SORN, various congressional committees and privacy advocate groups have expressed concern at the retention period and access of individuals and agencies to data contained within ATS. Discussions within CBP have focused on modifications to the SORN and PIA in order to address the areas of strongest concern.

Justification: The Anti-Terrorism Enforcement Report, FY 2006 Year-In-Review prepared by CBP's Office of Anti-Terrorism contains vital information on CBP's encounters with (b2high, b7E)This report on terrorist and terrorist related activities confirmed that the age of a terrorist suspect could range from the late teens to approximately 70. A timeframe of 40 years would cover the potential lifespan of individuals associated with terrorism or other serious criminal activities. Information exists from other sources that some persons espousing terrorist sympathies often remain active for decades as fundraisers, recruiters or as other type of participants in support of terrorist organizations.

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b2high
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b7E

[b2high & b7E]

**Policy Modifications:** (

b2high
&
b7E

Recommendations: (

b2high
&
b7E

Issue: TSA Access to the Automated Targeting System – Passenger

Background: The Automated Targeting System (ATS) is a tool used to enhance and improve border-targeting capabilities. ATS-P is used for targeting high-risk travelers for risks that might be related to terrorism and combating or preventing other types of serious transnational crimes. Since data acquired from the ATS-P system is considered both sensitive and confidential, access is controlled and made available only to Customs and Border Protection (CBP) personnel and government employees of other agencies with a need-to-know in connection with their official duties.

Access to ATS-P is contingent upon the government employee obtaining access to CBP mainframe applications, which in turn requires a current successfully adjudicated background investigation. ATS-P access is given pending completion of the following:

- A prospective user's supervisor submits an access request to a designated CBP/OFO manager. The submitted request includes the requesting supervisor's name and hash identification in addition to the prospective user's social security number, hash identification, port code, e-mail address, and job title and employee status. The request must include the module or modules needed for access.

- The submitted request is reviewed by an OFO/NTS designated manager, who reviews the request and determines the user role appropriate for the requestor's job function. The ATS-P module contains several unique user roles:

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  b2 high
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  b7E

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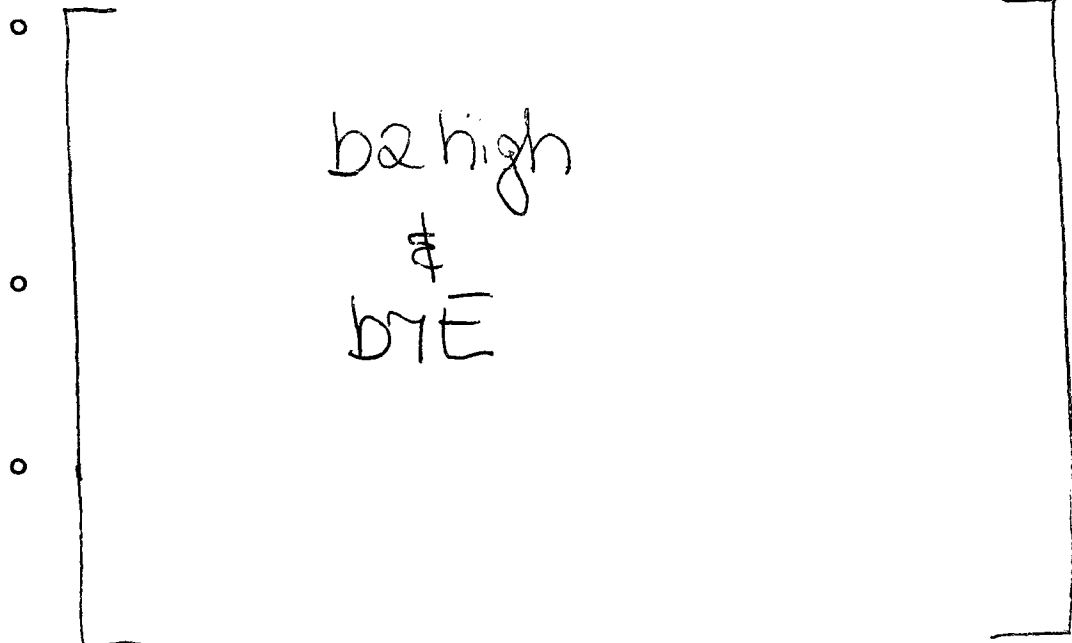
○ [b2 high
                                &
                             b7E   ]

- The approving OFO/NTS manager advises ATS Security of the approved request. ATS security reviews the new user request to verify the user's background investigation and access to mainframe applications. ATS Security then notifies the new user of the access.

- ATS audits and reviews are conducted. Users no longer requiring access are deleted from the system.

Current Status: Access to ATS-P is not provided to non-government personnel, except for contractors responsible for developing and maintaining the database. Each contractor who has been given ATS-P access has signed a non-disclosure agreement with CBP. This policy was reiterated by the Commissioner in a recent response to a letter from Congressman Bennie Thompson regarding ATS-P. Congressman Thompson is the Chairman of the House Homeland Security Committee.

[b2 high
                      b5
                      b7E   ]

Recommendation: (b2 high
[.   b5
                      b7E   ]

_____   _____   _____
Approve   Disapprove   See Me

Prepared by: [b6   ]
Verified by: [b6   ]
Date: February 6, 2007

BOB M JACKSTA
01/25/2007 12:33 PM

To:
cc:

(b2)
(&)
(b6)

Subject: Re: AQQ/Development Meeting Cancelled today 1/25

Based on an Executive meeting with TSA yesterday they will have access to ATS-P. OIT is now working that issue.

(b6)

(b6)
01/25/2007 12:27 PM

To:
cc:

(b2)
(&)
(b6)

Subject: Re: AQQ/Development Meeting Cancelled today 1/25

Mr. Jacksta:

TSA was advised a while back that they were not receiving ATS-P access as it is not necessary for their process. Contacted OIT this morning and they are working with TSA on upgrading connectivity. The
(b2 high & b7E) , therefore, no ATS-P is necessary.

Several meetings have been held with TSA discussing this issue.

Thanks,

(b6)
Watch Commander
National Targeting Center
(b2)

WARNING: This document is LAW ENFORCEMENT SENSITIVE and is designated for OFFICIAL USE ONLY.
It contains information that may be exempt from public release under the Freedom of Information Act (5USC552). This document is to be controlled, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information, and is not to be released to the public or personnel who do not have a valid "need-to-know" without prior approval from OFO National Targeting Center Security at 703.621.7700
(b2 & b6)

(b2&b6   )
01/25/2007 12:09 PM

To
cc

b2
&
b6

Subject Re: AQQ/Development Meeting Cancelled today 1/25

(b6)

[b5   ]

(b6)

[b5   ]

Thanks

(b6   )

(b6   )
01/25/2007 11:33 AM

To:
cc:

b2
&
b6

Subject: Re: AQQ/Development Meeting Cancelled today 1/25

(b6)

Please see NTC updates highlighted in red.

Thank you,

(b6)
Watch Commander
National Targeting Center
(b2)

[b5   ]

ROBERT M NEUMANN/NE/USCS

[b2 & b6]
01/25/2007 10:05 AM

To [b2   ]
         &
cc   b6

Subject   AQQ/Development Meeting Cancelled today 1/25

Due to conflicting schedules, today's (1/25 - 1600hrs) AQQ/Development meeting has been cancelled. If there are any updates to the Matrix I will forward the most recent version.

(b6)
Program Manager
Customs and Border Protection
(b2)

APR 1 6 2007

The Honorable Rush Holt
Member of Congress
50 Washington Road
West Windsor, New Jersey 08550

Dear Congressman Holt:

Thank you for your letter of January 31, 2007, on behalf of your constituent, (b6)
(b6) In your correspondence, you asked that we review (b6) concern regarding the
Automated Targeting System (ATS). U.S. Customs and Border Protection (CBP) has
recently completed its review of this matter. Please allow me to outline our findings.

CBP uses ATS to improve the collection, use, analysis and dissemination of intelligence
to target, identify and prevent potential terrorists and terrorist weapons from entering the
United States and identify other violations and violators of U.S. law. In this way, ATS
enables CBP officers to more effectively and efficiently focus their efforts on travelers
that most warrant further attention. ATS is a decision support tool, providing critical
assistance to CBP Officers by assisting them in determining whether a combination of
potential risk indicators exist for a traveler and his or her flight transaction that may
warrant additional scrutiny.

(b6) letter to you describes information from media reports on the ATS system, its
reliability and a request to obtain his alleged ATS score. Contrary to many media
reports, CBP does not assign or give a score to an individual to assess a level of risk.

I appreciate your interest in Customs and Border Protection. If we may offer further
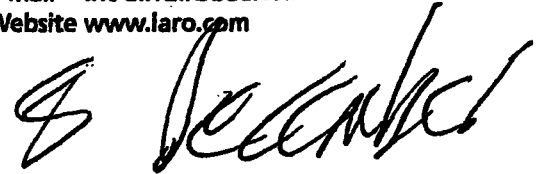assistance, please contact me at (202) 344-1760.

Sincerely,

Thaddeus M. Bingel
Assistant Commissioner
Office of Congressional Affairs

The Honorable Michael Chertoff
Secretary
Department of Homeland Security
Washington, D.C. 20528
USA

Dear Secretary Chertoff:

I am writing to you to express agreement with the filing on December 3 by the
Business Travel Coalition regarding the U.S. Customs and Border Protection's
Automated Targeting System (ATS).

We are deeply concerned that such a far reaching and invasive screening of
millions of business travelers entering and leaving the U.S. could do
significant personal harm to them, and reduce the productivity of the
organizations that send business travellers to the US.

The "welcome" to the US provided by Immigration varies: it seems to have
improved recently but it is still not an incentive to visit the country.

ATS seems to be a truly monolithic and disturbing data-mining program which
allows for the aggregation of personal information on business travelers;
forbids travelers from accessing and correcting inaccuracies; provides for
the sharing of such information with foreign governments and third parties;
and retains travelers' personal information in a dossier for 40 years.

Of particular worry is that ATS was thought to be for cargo screening only
and it was uncovered only recently that the program has been collecting data
on travelers for four years without the knowledge of the U.S. Congress or
foreign governments whose citizens are being profiled, and a dossier
maintained on them, without their knowledge or consent.

I urge you to suspend the ATS program immediately; provide substantially more
details on the program; and proceed with ATS only through an official
rulemaking with a significant public comment period, in accordance with
requirements of the U.S. Privacy Act of 1974.

Sincerely

Andrew Sharp

Director General

One Hundred Tenth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

June 19, 2007

Mr. Hugo Teufel, III
Chief Privacy Officer
U.S. Department of Homeland Security
Washington, D.C. 20528

Commissioner W. Ralph Basham
U.S. Department of Homeland Security
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20229

Dear Mr. Teufel and Commissioner Basham:

On November 2, 2006, the Department's Privacy Office issued a System of Records Notice (SORN) regarding the Custom and Border Protection's (CBP) use of the Automated Targeting System on passengers traveling in and out of the United States. This system uses personal information collected from international travelers to flag passengers who might present a risk for additional security. During the public comment period, I expressed my concern about the program's compliance with existing privacy laws and constitutional safeguards with respect to American citizens and lawful permanent residents. Additionally, I submitted several questions to Commission Basham regarding the use of the program, which were subsequently answered in a letter from the Commissioner dated February 21, 2007. In the letter, Commissioner Basham indicated that changes to the program may be implemented following the review of the comments received regarding the SORN.

Several months have passed and this very troublesome program remains in existence without any indication from either the Privacy Officer or CBP regarding the issuance of a new SORN or whether changes will ultimately be made. The purpose for allowing public comment is to give the reporting agency the opportunity to review comments generated by public concern to determine whether changes should be made to the program as a result of the issues raised. Since a final decision has not been made on whether a new SORN will be released, CBP is operating this program in legal limbo, at a risk to the privacy rights of the traveling public.

I urge the Privacy Office, in conjunction with CBP, to thoroughly review this program and make a final decision on whether a new SORN will be issued. The concern about this program was widespread. It is therefore, incumbent upon both CBP and the Privacy Office to address the public's concerns and make a final determination.

I ask that you immediately contact the Committee's Chief Oversight Counsel, Cherri Branson, and provide her with an expected time frame for the completion of the SORN comments and the expected release date of a new SORN. Ms. Branson can be reached at (202) 226-2616. Thank you in advance for your prompt attention to this matter.

Sincerely,

Bennie G. Thompson
Chairman

BGT/clb

**U.S. Customs and
Border Protection**

Automated Targeting System:

Passenger Data Flow Process and Uses

December 19, 2006

Air and Sea Passenger Targeting Process

Customs Mainframe Systems (IBIS, TECS)

CBP Officers Create Lookouts and Conduct Exams

ATS-P Name Matching & Rules-Based Targeting

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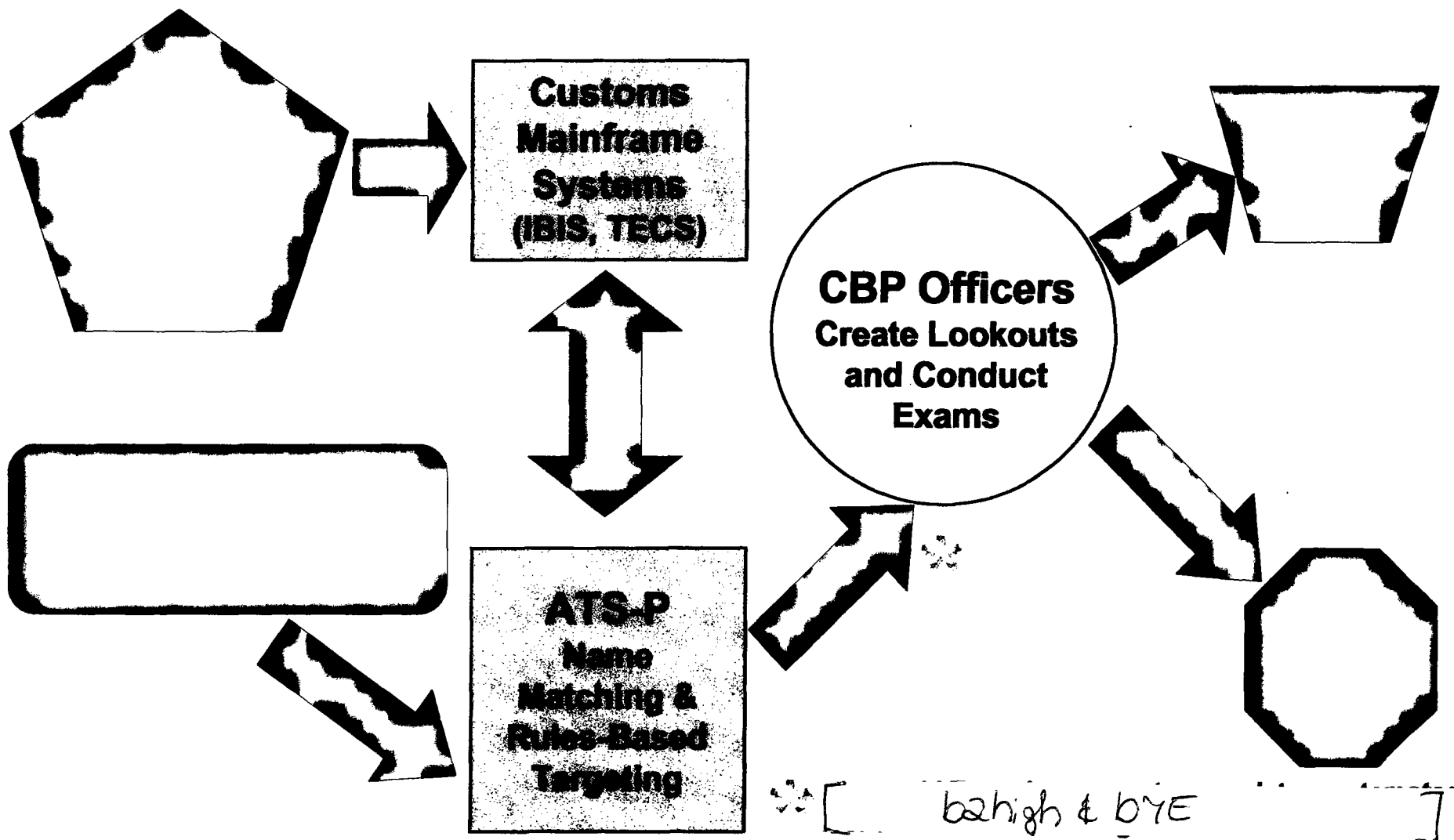
Land Vehicle Targeting Process
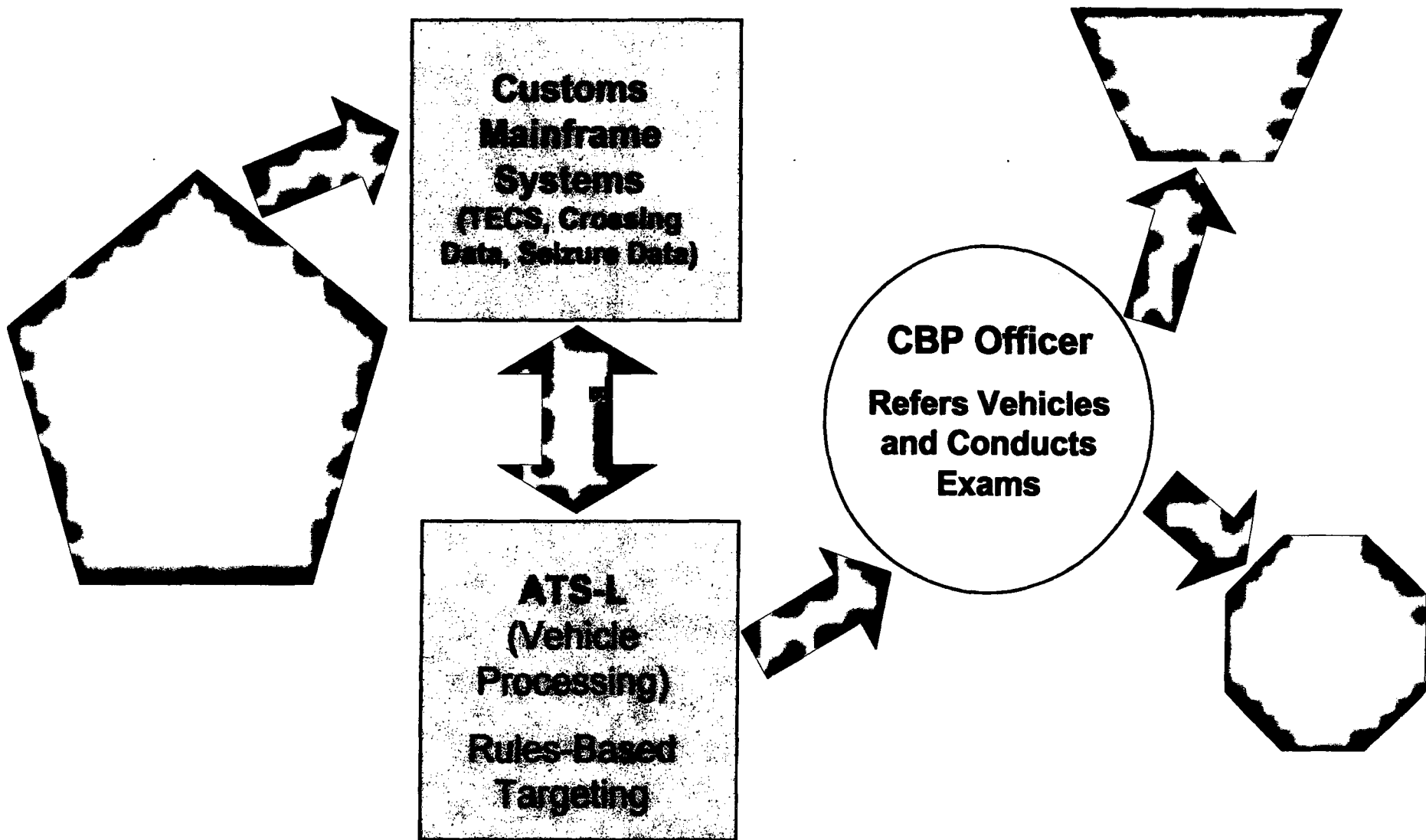
Automated Targeting System

Business Case

Office of Field Operations

January 5, 2001

ATS/Passenger

1. Executive Summary:

[Describe the business need or problem and what this project will accomplish. Describe the benefits to Customs, including a clear statement of how the capital asset will help Customs meet its mission, strategic goals and objectives. This description should be no more than two or three paragraphs.]

ATS/P, one of four modules within the Automated Targeting System, was first deployed in October 1999 as a (b2 h;gh & o'1E), replacing the Worldwide Alien Narcotics Tracking System (WANTS). WANTS had been developed in 1983 by the Combined Agency Border Intelligence Network (CABINET) in Chicago as an (b2 h;gh & o'1E) data collection and analysis of narcotics smuggling. This legacy system did not comply with new Customs standards for system architecture, a deficiency that ATS/P corrected.

Because of the vital need to continue the successful WANTS functionality, its capabilities were incorporated into ATS/P with enhancements. Like WANTS once did, ATS/P enables users to target individuals for possible involvement in all types of international crime, including narcotics trafficking and money laundering. ATS/P also expanded the availability of these functions to additional ports.

The first web-enabled version of ATS/P has recently been developed, tested, and, in October 2000, moved to production. This release retains all of the functionality of its previous CICS version and adds such enhancements as the capability to review and analyze international passengers that have arrived at or departed from U.S. airports. It will be deployed to seven field sites with frame relay communications. All of the passenger information will be stored and available for analysis from anywhere on the USCS intranet via a web browser.

Additional functions include a consistent user interface, integrated Suspect and Violator Indices (SAVI), a world-view feature, airline reservation systems access, QIK analysis integration. This release also provides enhancements to accommodate the SAVI redesign for the CICS version, which remains in use.

Another release of ATS/P planned for May 2001 will offer a Treasury Enforcement Communications System (TECS) interface, data visualization capability, and Advanced Passenger Information System (APIS) integration. Thirteen additional sites will receive this release.

2. Chronology of Events:
[Provide a brief history, including a description list or summary of studies, briefings, and executive recommendations and dates. Provide narrative of changes that have impacted the project.]

ATS/Passenger was first deployed in October 1999 as (ｂａｈｉｇｈｌｏｎｅ) with a CICS interface, replacing the Worldwide Alien Narcotics Tracking System (WANTS). WANTS had been developed in 1983 by the Combined Agency Border Intelligence Network (CABINET) in Chicago as (ｂａｈｉｇｈｌｏｎｅ)ı for data collection and analysis of narcotics smuggling. This legacy system did not comply with new Customs standards for system architecture, a deficiency that ATS/P corrected.

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The first web-enabled version of ATS/P was put into production in October 2000, with deployment schedule for seven sites. This release retains all of the functionality of its previous CICS version and adds such enhancements as the capability to review and analyze international passengers that have arrived at or departed from U.S. airports. All of the passenger information will be stored and available for analysis from anywhere on the USCS intranet via a web browser.

Additional functions include a consistent user interface, integrated Suspect and Violator Indices (SAVI), a world-view feature, airline reservation systems access, QIK analysis integration. This release also provides enhancements to accommodate the SAVI redesign for the CICS version, which remains in use.

Another release of ATS/P planned for May 2001 will offer a Treasury Enforcement Communications System (TECS) interface, data visualization capability, and Advanced

Passenger Information System (APIS) integration. Thirteen additional sites will receive this release.

3. Problem Statement:

[Describe the problem that this project is going to solve. Provide statistics when applicable to support the visibility of the problem. This description is for the problem only, provide justification/recommendation in their respective locations.]

The current approach of ATS already provides inspectors with an automated, decision-support tool that greatly increases the number of passengers they can evaluate. The system has not yet reached its full potential, however. Additional types of data for the system to analyze and the artificial intelligence capability of modifying rules in response to changing travel conditions will increase the value and effectiveness of ATS.

This investment management process business case for fiscal year 2002 seeks funding to continue enhancements of the system as originally conceived, that is, a set of "smart," automated, decision-support tools that review data and provide inspectors with accurate and timesaving information.

4. Bang for the Buck Bullets:

[Provide in bullet format, three to five of the most important benefits the project will provide.]

Continued enhancement of this ATS module is expected result in

> More passengers reviewed

> Increased likelihood of searched passengers resulting in discovery of targeted passengers or material

> Higher inspector morale based on satisfaction of getting more work done

> Management tracking and reporting

> Client (passenger) service by allowing passengers considered to be no- or low-risk to pass through system unimpeded

> Client (passenger) service through reduced risk of terrorist-related material placed aboard passenger craft

5. Justification—Legislative Compliance:

[Identify the legislation, regulation, directives, policy, or audit requirements that either authorizes the project or with which the project is compliant. A legislative or regulatory ruling can suggest or require that an initiative be undertaken. The strongest arguments can be made for IT initiatives mandated by law or regulation. Explain how the project complies.]

ATS/Passenger provides continued support of a multiagency task force developed in 1983 under the National Narcotics Border Interdiction System (NNBIS). In 1995, Presidential Decision Directive 42 ordered U.S. Government agencies to "intensify their international crime-fighting efforts." Multinational criminal syndicates are engaged in a wide range of illegal activity. The new system will assist USCS in accomplishing some

of the goals and objectives of the International Crime Strategy. Task forces established under the Nigerian Crime Initiative will also use it.

6. Justification—Linkage to Strategic Plan:

[Explain how the project will support USCS mission and strategic plans. The justification for an initiative is strengthened when the initiative can be linked directly to a Customs mission, strategic goals or objectives.]

ATS/P complies with the USCS strategic objective to develop and refine methods to select high-risk passengers in advance of arrival. With ATS/P, inspectors can intercept high-risk passengers while expediting low-risk ones. If a passenger is suspected of being of high risk, the inspector may physically inspect the passenger, baggage, and vehicles to determine compliance with laws and regulations.

The system continues the level of performance and functionality of CABINET's WANTS after that system was discontinued. Support has been provided for antiterrorism, dignitary protection, fraud investigations, locating fugitives, and identifying conspiracy linkages.

The ATS/P system will decrease initial and long-term training requirements; provide more information and functionality; and offer access to more types of data and to the data of more countries. The system also will have the potential for more functionality and additional data elements.

7. Justification—Impact of Non-Implementation:

[Describe the organizational impact if the project is not implemented (i.e., the magnitude of the impact to program operations or customer services). The business case is further justified when an operation is highly dependent on the initiative, no viable alternative exists, or delaying the initiative will result in significantly higher costs in the future.]

A Customer Information Control System (CICS) version of ATS/P has been developed and deployed as an interim solution to replace the existing WANTS system. A web version is also being developed. The web version will have new enhancements and analytical tools (data mining, data visualization) which will allow the users to target more efficiently and effectively and handle the increasing volume of air travel data. This increase would otherwise not be reviewed without hiring additional staff. The web version will also make it possible to review a larger percentage of data at current levels. Travel data will be analyzed more thoroughly using weighted selectivity criteria.

As of December 2000 the deployment has not been adversely impacted by the frame relay implementation.

8. Justification—Improved Services to Stakeholders:

[Identify all internal and external stakeholders serviced by the proposed project and state whether the stakeholders consider the project to serve a critical operational function. Identify the service being provided. Address any cross-functional issues.]

8.1. Contribution to Internal Service Delivery

Internally, the stakeholders are the Office of Field Operations and the Intelligence and Communications Division. Both offices consider the system critical to their operations.

The system provides an automated review beyond what can be reviewed manually. This automated targeting is essential to improving processing and targeting capabilities.

8.2. Contribution to External Service Delivery

Externally, the stakeholders are the Immigration and Naturalization Service, the Secret Service, the Drug Enforcement Agency, the Department of State, U.S. Marshals, U.S. Postal Inspection Service, Department of Housing and Urban Development (HUD), Federal Bureau of Investigation (FBI), United Kingdom Customs, and State and local police departments. Most of these agencies consider the system critical to their operations.

9. Justification—Business Process Improvement:

[Describe how the process will be redesigned or improved and how the project will support the redesign or improvement. If a "needs" analysis was performed, identify and summarize the "needs."]

The ATS/P project was driven by a need to bring the WANTS application into compliance with the business and information architecture of Customs. The application was reviewed during various meetings between subject matter experts (PAU inspectors) and the development team. During these sessions, existing functionality was identified as well as enhancements. The process outlining these efforts is provided in the ATS/P Project Plan that is available upon request.

10. Justification—Organizational Change (Organizational and Process):

[Describe how this project will impact Customs and identify the organizations within Customs that will be affected. Describe whether or not the project will cause significant organizational changes or change the way employees perform their jobs. Identify the controls that will be applied to manage organizational and process changes.]

The new system did not require significant organizational change for those using the (b̶a̶n̶i̶s̶h̶ ̶t̶y̶p̶e̶) Documentation will be provided to address any added functionality or necessary instructions. The process should be the same.

Once the browser-based version was deployed in FY2000, users are now able to more easily cross-train for different disciplines, e.g., passenger targeting, antiterrorism targeting, and narcotics trafficking interdiction. Users without experience using Internet-like technology would be confronted with the greatest learning curve although we expect the graphical environment will ease this process. ATS will also facilitate transferring skills to other applications developed in the future on the web-browser platform.

ATS/P will provide enhanced targeting capability for inspectors on the front lines. Passenger Analysis Units (PAU) will more easily be able to review incoming flights in shorter periods. This will enable Customs to keep pace with the growing volume of air passenger traffic. Tactical intelligence provided by ATS/P will facilitate the identification of trafficking groups through associated travel records of couriers. Analysis performed by a PAU will be stored so other PAUs will be able to benefit directly and not have to begin anew with their own research. These linkages will be depicted graphically.

11. Economic Analysis—Defined Performance Measures:

[Identify the project's performance measures and the frequency of evaluation. Specific performance measures shall be clear, measurable specifications about the end result that an investment is to accomplish in a given period of time. EXAMPLE: The enhancement will reduce data input time by two minutes per entry resulting in an annual 20% reduction in operating costs.]

[Performance measures shall adhere to the following principles:
Contributions to mission performance are measured in terms of improved efficiency (cost savings) and effectiveness (improved productivity)
Measures that are identified are the most effective means for measuring success.

Performance measures are used to evaluate the present environment and pass lessons learned onto the process.]

Mission Statement: To ensure compliance by targeting and identifying high-risk travelers, and to allow the expeditious movement of low-risk travelers *(U.S. Customs Service Strategic Plan, Fiscal Years 1997–2002,* The Passenger Process, pg. 43).

Vision Statement: The ATS/P envisions an automated, linked system that reviews data from databases, government agencies, and airline reservation systems, performs rule based analysis and provides a web-based user interface to present the information to the user.

The ATS/P Balanced Scorecard below provides the critical success factors and the critical measurements for this application as identified by the business process owner.

If our Vision succeeds, what will success mean from these perspectives?	To Our Stakeholders: Financial Perspective	To Our Customers: Customer Perspective	With Internal Management: Internal Business Perspective	To Our Ability To Innovate and Grow: Innovation and Learning Perspective
What are the Critical Success Factors?	Reduced training costs	CABINET functionality Graphical interface Enhancements	Common ATS interface	Additional country information Additional agency links
What are the Critical Measurements?	10% increase in identifying suspects and violators	Continuation of successful targeting program	Continuation of successful targeting program	Ability to graphically depict linkages in travel data

Initial performance measurements include number of queries, usage time, and number of identified suspects and violators.

The Post-Implementation Review will hopefully follow an SDLC compliance review later this year. Preliminary results of this survey highlight the need for developing an approach for baseline measurements across all deployed ports. A proposed evaluation project will track critical success factors and performance measurements across all targeting applications. In addition to the critical measurements listed above, the number

of queries, number of users, usage time, number of rules fired, magnitude of weighted hits, and number of identified suspects and violators will be proposed as performance measures. Performance measures and baselining will tentatively be addressed in more detail in FY2001 in the Post Implementation Review evaluation project.

12. Economic Analysis—Risk Analysis:

[Identify threats and vulnerabilities that may affect the project risk profile and the project's ability to successfully achieve its objectives, and describe the controls used to manage those risks. Describe management methodologies that will reduce the risk profile i.e. incremental development. There are several types of risk that should be considered as part of risk management. The following are a few of the risk areas to consider:

- *Schedule*
- *Cost*
- *Performance*
- *Development Methodology*
- *Technical*
- *Organizational*
- *Programmatic*
- *Configuration*
- *Supportability*
- *Management]*

[Risk mitigation should address how to compensate for the risks identified and determine ways to mitigate them.]

Since this application is already in deployment, there are no perceived risks in the areas of technical issues (conformance to architecture), security, codependency, cost, and organization. The primary element of risk for ATS/P is if deployment schedules cannot be met for FY 2001 and FY 2002. This will preclude us from accurately assessing the benefit-to-cost ratio.

13. Economic Analysis—Project Timeline:

[Provide estimated Start and Completion dates for the project and all associated life cycle control gates as defined within the SDLC. Also, identify intermediate significant dates or deadlines (e.g., "Completion of Release 1 Requirements").]

ATS/P began in September 1998. The CICS solution was implemented in October 1999, and is fully deployed to all ports. The web version was implemented in October 2000. The IP infrastructure deployment will continue through 2002. The projected list of deployment sites includes the following:

FY 2001: 17 sites: New York, NY (JFK-IAT and building 77); Newark, NJ; Dulles (Washington, DC); Miami, FL; Atlanta, GA; Houston, TX; Los Angeles, CA; San Francisco, CA; Vancouver, BC; Minneapolis, MN; Chicago, IL; Detroit, MI; Toronto, CA and 6 TBD.

FY 2002:   13 sites: TBD

Proposed enhancement activity by year includes the following:

FY2001:   ● Weighted Passenger and Flight Scoring

● Expand resource capability

● Add additional research capabilities

● Add additional data sources

● Expand rules to includes new artificial intelligence capabilities

● Evaluate rules automatically based upon analyzed passengers and change rules dynamically.

FY 2002:   TBD

14. Economic Analysis—Project Cost Estimate:

[Provide a cost estimate for the project. The estimate shall be at a summary level and backed up with the appropriate level of detail. Dollar value, risk, and schedule will all contribute to the level of detail required to support the estimate.]

[NOTE: The Project Cost Estimate considers inflation.]

FY 2002 $480,875 for development, enhancements, and continued deployment

15. Economic Analysis—CBA:

[Provide a preliminary project CBA. The Customs Cost Benefit Analysis Handbook contains additional detail and instructions. At a minimum, the preliminary CBA must contain:

Assumptions and constraints of the business need/problem

■ *Priority shall be given to identifying and quantifying costs and benefits on a total life cycle basis. Benefits shall be identified as to "what the benefit is" and "what the financial impact the benefit will achieve". Examples from the CBA Handbook are:*

■ *Reduced Resource Requirements—Government Personnel Compensation & Benefits, Systems Development Contractor Labor*

■ *Improved IT Utilization—Storage and Retrieval, Centralized or Distributed Processing*

■ *Improved Operational Effectiveness—Cycle Time Improvement*

■ *Cost Avoidance—Eliminate Future Staff Growth, Eliminate Additional Equipment Requirements*

■ *If quantifiable benefits cannot be derived, at a minimum, qualitative benefits must be identified and thoroughly defined.*

■ *Evaluate alternatives*

■ *Perform risk and sensitivity analysis*

- *Conduct Net Present Value analysis*
- *Choose the superior alternative*

NOTE: The cost data contained within the CBA should not contain inflation.]

The overall CBA approach will focus primarily on the increase in productivity and effectiveness of the existing PAU staff with ATS/P. In addition, the cost avoidance that is realized with a fully automated review of all incoming passenger information on the Advanced Passenger Information System (APIS) is significant.

Based upon benefits of $23,015,888 for FY 2002 and projected costs of $480,875 for enhancements, deployment, maintenance, and operation result in a benefit-cost ratio of 47.37.

15.1. Sunk Costs

FY 1998 $0

FY 1999 $252,000

FY 2000 $1,819,000

15.2. Assumptions

The following general assumptions can be made about the ATS/P system:

1. The inflation rate will be 2.1% or less per year.

2. High-risk travelers will continue to enter in the United States via air travel.

3. No system is 100% successful; the best that can be accomplished is to mitigate the risk.

4. This system relates to materiel using the standard procedures. Activities circumventing normal channels cannot be accurately predicted.

15.3. Benefit-Cost Ratio

The benefit-cost ratio (BCR) is calculated by dividing the PV of benefits by the PV of costs. Therefore, the BCR for ATS/P is as follows:

$23,015,887.91 / $480,875 = 47.37

15.3.1. Tangible Benefits

All estimates are based on

    135 PAU inspectors across 35 PAUs

    80 million air passengers FY2000; 67 million of those are not pre-cleared

    53.6 million (80% of not pre-cleared total) transmitted in APIS

    100–150 I-94/SAVI[1] queries run for ½ to 2 hours a day by each PAU

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[1] I-94 Query is a function of the INS Non Immigrant Inspection System (NIIS); Suspect and Violator Indices (SAVI) is a function developed by Customs available in ATS-P only.

The total number of man-hours assuming 1 hour a day (average) is 49,275 man-hours: 35,100 for 260 business days and 14,175 overtime days.

Nationwide, this amounts to a range of 1.277–1.916 million I-94/SAVI queries on an annual basis.

From FY 97 to FY 1998, there has been a steady increase in international air travel from 68,437,225 to 71,689,385 passengers, which is an annual growth rate of 5%. Data from FY 1999 and FY 2000 indicates this growth rate is continuing.

Inspector rate is $23 per hour on 260 business days; $46 per hour on 105 overtime days.

Cost avoidance for comprehensive incoming passenger data screening

In FY 2001, ATS/P will also incorporate data from APIS. This system contains passenger data on 53.6 million incoming passengers, 80% of the total not pre-cleared. Using a weighted rule-based process, inspectors will be able to focus on the higher-risk passengers and expedite the lower-risk passengers quicker, thereby increasing their effectiveness in targeting suspicious passengers.

Of the 53.6 million APIS records on incoming passengers, the PAUs are presently only able to review at most 2,680,000 passengers per year (5% of data being transmitted). *ATS/P will enable 95% more passengers to be reviewed electronically according to predetermined rules developed by the inspectors.*

PAU inspectors spend between ½ to 2 hours a day (regular and overtime) running queries on 100 to 150 passengers in I-94/SAVI.

The total number of man-hours assuming 1 hour a day (average) is 49,275 man-hours: 35,100 man-hours for 260 business days and 14,175 man-hours for 105 overtime days.

This amounts to 49,275 man-hours (average) reviewing 2,680,000 passengers (average) out of 53.6 million not pre-cleared passengers, an average of 54.4 passengers per man-hour.

If this review of all not pre-cleared data (53.6 million) were reviewed using I-94/SAVI, it would be the remaining 50,920,000 passengers who are currently not reviewed.

At 54.4 passengers per man-hour, it would require an additional 936,225 man-hours (50,920,000 passengers / 54.4 passengers reviewed per man-hour).

Average inspector rate based on GS10 is $23/hour business day, $46/hr overtime day

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Assume that 71% of the effort annually would be done on regular business days at $23 per hour.

Assume that 29% of the effort annually would be done on overtime business days at $46 per hour.

The incremental cost for reviewing all incoming APIS passengers would be $27,777,796: $15,288,554 for regular business days and $12,489,242 for overtime days.

FY 2001 Benefit

Assume 17 ports deployed in 2000 and ½ of 10 ports in 2001 = 63% of total 35 projected ports.

Multiply 63% * $27,777,796 in incremental cost for reviewing all passengers = $17,460,329.

Issue: Customs and Border Protection Automated Targeting Systems

Background:

Customs and Border Protection (CBP) Automated Targeting Systems (ATS) are rules-base analytical tools designed to assist in the detection of anomalies enabling the advance identification of passengers or shipments that may pose a high-risk for illegal activity, including terrorist/national security and narcotics/currency smuggling concerns.

ATS allows for the filtering of electronically filed advance cargo manifest and entry data as well as advance air and sea passenger information. This advance information is cross-referenced against CBP targeting rules that incorporate law enforcement databases including but not limited to the Treasury Enforcement Communications System, National Crime Information Center, and the Non-Immigrant Information System.

ATS is key to the CBP targeting process. Combining, sorting, and filtering all available information, ATS serves as a decision support tool, assisting inspectors in the identification of high risk shipments and passengers. ATS is flexible and dynamic in design, allowing CBP to address specific threats, intelligence, and trends.

Current Status:

ATS is currently composed of four separate targeting modules, each having its own specific targeting and operational functions:

- ATS/Anti-Terrorism (ATS/AT) – Outbound Cargo
- ATS/Narcotics (ATS/N) – Inbound Cargo
- ATS/Passenger (ATS/P) – Inbound and Outbound Air/Sea Passengers
- ATS/Trend Analysis and Analytical Selectivity Program (ATS/TAP) – Trade Programs

ATS modules are continually modified and enhanced to further CBP targeting abilities. In response to the elevation to Threat Level Orange under the umbrella of Operation Liberty Shield, ATS/N has been modified to broaden the scope of Sea Container Threshold Targeting.

Submitted by: (b6) ,
                      Director
Office: Border Targeting and Analysis
Phone: (b2)
Date: March 26, 2003

BTA

U.S. Customs and Border Protection's Layered Defense Strategy

Background:
The U.S. Customs and Border Protection (CBP) continues to develop its layered risk management approach to safeguarding U.S. borders from threat by land, air and sea. CBP's multi-layered strategy incorporates a coordinated national targeting focus, aggressive pursuit of legislative and regulatory initiatives, partnerships with foreign governments and trade-organization, new detection technologies, enhanced automated targeting, and practical training.

Current Status:
CBP created the National Targeting Center (NTC) to be the single point of reference for CBP anti-terrorism efforts. The mission of the NTC is to provide tactical targeting and analytical research support for CBP anti-terrorism efforts. With the NTC providing national coverage for all CBP anti-terrorism effort, consolidated liaisons with other government agencies and local port targeting efforts are used to comprehensively enhance targeting. Innovations in targeting discovered at either the NTC or CBP field locations are exchanged so that all targeting efforts are coordinated.

CBP pursues legislative and regulatory changes to advance multi-modal data collection quality, and the timeliness of submission. Examples include the 24-hour manifest rule, the Trade Act of 2002 and the Bio-Terrorism Act. These current examples vastly improve CBP's ability to risk assess cargo destined for the U.S. before it has even been loaded on a conveyance to begin its journey to the U.S. Another example is the Maritime Transportation Security Act wherein the delegation authority is support for CBP's advancement of government and business partnerships.

CBP fosters new government and business collaboration. Though these partnerships, information is exchanged and shared that enhances CBP's knowledge of foreign government, and business operations. It also allows CBP to share with other foreign governments and businesses the U.S. approach to securing trade and preventing terrorists or implements of terrorism from reaching our shores. Programs designed to enhance our partnership and detection capabilities include: Customs -Trade Partnership Against Terrorism (C-TPAT), the Container Security Initiative (CSI), the Container Work Group (CWG), Operation Safe Commerce (OSC), and initiatives like U.S. Visit.

CBP continues to enhance its existing Automated Targeting System (ATS) programs. CBP uses the ATS to integrate elements from its own systems and other commercial databases. CBP's own systems include commercial, manifest, export, and enforcement data systems. Examples of additional commercial databases include Advance Passenger Information System (APIS) and Passenger Name Record (PNR) data from airlines and reservation systems. CBP uses the integrated data to risk assess and score existing cargo transactions and travelers. The scored events are evaluated against a pre-determined threshold to determine the intensity of CBP's interdiction.

CBP promotes using technological advancements to improve the security surrounding containers. Tamper evident seals and smart boxes are the next innovation in increasing the strength of our borders. Secure container technology coupled with our deployed gamma imaging systems and radiation detection equipment improves our ability to detect compromised containers. Partnerships with local port authorities promote acceptance of radiation portal monitors and establishment of shared responsibilities.

CBP constantly updates its training material and provides peer-based training to its port personnel. The latest targeting procedures and advancements in technology are shared with front-

line personnel to increase their knowledge and encourage further innovations. CBP's own Office of Training and Development ensures that standards are set and maintained so that the highest quality training is provided.

CBP recognizes that no single strategy is 100% effective, so CBP focuses on layering multiple approaches together to accomplish its mission. CBP works aggressively with trade and government partners to legislate improvements regarding data timeliness and quality, which augments the abilities of highly trained personnel to using cutting edge technology for targeting, detecting and securing terrorists, and interdicting implements of terrorism destined to the U.S.

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National Targeting Center (NTC)

Background:
Historically, the U.S. Customs Service (Customs) successfully targeted for narcotics and currency violations in both the passenger and trade environments. Immediately following the terrorist attacks on September 11, 2001, Customs adapted its targeting methodology for anti-terrorist and national security concerns. Recognizing the scope of the threat, the Office of Field Operations created a National Targeting Center (NTC), formerly known as the Office of Border Security (OBS).

The NTC began around-the-clock operations on November 10, 2001, with a priority mission of providing tactical targeting and analytical research support for Customs anti-terrorism efforts. As border inspectional assets from Customs, the Immigration and Naturalization Service, and the Department of Agriculture came together on March 1, 2003, under the umbrella of U.S. Customs and Border Protection (CBP), the NTC mission broadened commensurately with the CBP role in support of Homeland Security.

- Primarily staffed by Officers and Field Analysis Specialists.
- The NTC staff develops tactical targets from raw information to detect and prevent terrorists and implements of terrorism from entering the United States.
- The key tool for the NTC is the Automated Targeting System for cargo and passenger interdiction. This includes ATS – N, P, AT, and the Trend Analysis and Analytical Selectivity program.
- NTC also supports CBP field elements, including foreign-based Container Security Initiative personnel.
- Provides targeting expertise to the Department of Homeland Security Operations Center.
- Representatives from all CBP disciplines include:
  - U.S. Border Patrol
  - Office of Intelligence
  - Liaison staff from the law enforcement and intelligence communities.
- During FY 2003, liaison was developed with the:
  - Office of Naval Intelligence
  - Transportation Security Administration
  - Department of Energy
- December 8, 2003 – CBP Office of Information and Technology, Laboratories and Scientific Services (LSS) opened the Radiation Portal Monitor and Tele-forensics Center at the NTC.
- December 11, 2003 – Food and Drug Administration Prior Notice Center commenced around-the-clock joint targeting operations at the NTC in support of the Bio-Terrorism Act.

Current Status:
Working together with CBP law enforcement and regulatory counterparts internal and external to the Department of Homeland Security, the NTC and its mission continue to evolve as a cornerstone in the war on terrorism. Centralized NTC targeting endeavors, combined with intra and interagency collaboration, assure CBP of a coordinated response to terrorist and national security events.

Automated Targeting System-Land Border (ATS-L)

Background:
In March 2002, Customs and Border Protection (CBP) identified a need for an Automated Targeting System (ATS) for the Land-Border environment. Currently, when a vehicle arrives at the port of entry (POE), the vehicle's license plate is captured upon arriving at the primary booth and manually queried against the Treasury Enforcement Communications System (TECS). The planned Automated Targeting System Land-Border (ATS-L) will automatically cross-reference the TECS crossing data and other information to employ the weighted rules-based scoring system of ATS. This will provide within seconds a risk assessment score for each vehicle, assisting officers in determining whether to allow a vehicle to cross or to send the vehicle for secondary evaluation.

ATS-L will have:

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-
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[b2 high & b7E]
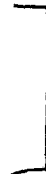
The CBP Officer will benefit from:
- Having access to a vehicle targeting tool that will support decisions with score based results on vehicles trying to cross the border.
- Streamlining the interview and search processes.
- Reducing the processing time for each vehicle by reducing the current forty-second average by approximately 10 seconds.

Current Status:
On August 14, 2003, the Department of Homeland Security (DHS) approved the ATS-L project. User requirements are currently being finalized and the rules that will be used to score each vehicle that crosses the border are being refined. The ports of entry at Nogales, Arizona and Blaine, Washington have been selected for initial deployment by the end of June 2004.

Automated Targeting System-Passenger (ATS-P)

Background:
Since October 2000, U.S. Customs & Border Protection (CBP) has used this web-based computer system to gather and evaluate information on persons traveling into and out of the United States for the purposes of passenger targeting. Automated Targeting System-Passenger (ATS-P) is the primary automated targeting tool in the passenger processing environment.

As new threats are identified, ATS-P is flexible enough to respond quickly. A recent example of this adaptability includes the creation and implementation of new rules prior to the suspension of the Transit Without Visa Program (TWOV).

Currently, ATS-P retrieves data from a variety of sources including: the Advance Passenger Information System (APIS), personal search records and secondary examination records, suspect and violator records, non-immigrant I-94 records, Passenger Name Records (PNR), and the National Crime Information Center (NCIC).

Current Status:
Since September 11, 2001, further enhancements to the ATS-P have been completed.

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(handwritten notation: b2 high & b7E)

Another key feature of ATS-P is the automated rule scoring of PNR information. This information is utilized to identify abnormalities in travel patterns of inbound and outbound passengers.

- CBP currently accesses PNR information from 48 different airlines, representing approximately 70 percent of total inbound passenger traffic. PNR data from 30 additional airlines are projected to be added to ATS-P by the end of 2004.

Automated Targeting System-Sea Cargo (ATS-N)

Background:
The Automated Targeting System (ATS) has different major, sub-systems that provide decision support functionality for targeting.

Automated Targeting System – Inbound Cargo (ATS-N) is the system that provides targeting functionality for inbound sea cargo and other inbound modes. Various national targeting rule sets have been implemented in ATS-N to provide threshold targeting for Northern Border truck, Southern Border truck, and sea cargo. Rail is scheduled for implementation in February 2004, and air cargo targeting for this fiscal year.

Threshold targeting utilizes numerous targeting rules that work in combination to vet different shipment information from manifest and entry data, prioritize "unusual" shipments, and generate mandatory targets for shipments that exceed a specified score threshold.

Current Status:
The targeting rules continue to evolve and expand to address specific needs. The following rule sets are specific to sea cargo targeting:

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b7E

General history and capabilities of ATS

The initial development of the Automated Targeting System began in the mid-90's. It was initially designed, as a decision support tool to aid inspectors in prioritizing which vessel shipments should be examined. It was set up initially as a distributed software product that had to be installed on individual work stations with individual security access accounts. This system was a major improvement in data organization and was among the first steps at moving targeting capabilities away from the mainframe environment. The use of a graphical user interface enabled more information to be displayed than was available on a mainframe screen. Additionally with a mainframe environment to find information on a different screen meant changing screens, but one benefit to a graphical user interface included displaying information from multiple locations on the mainframe or external sources on one screen. Finally, the mechanism for distributing the program was advanced in 1999 and 2000, where the Office of Technology pushed to move ATS into a web based environment to enable distributed processing. This was a big boon for the inspector. Inspectors across the nation were able to have critical shipping history available on screen or linked to one of the parties to the transaction. This dramatically reduced the time needed to review a shipment and consider the risk implications. The shipment's history could be reviewed for anomalies and compared to the immediate transaction.

In addition to just reviewing the historical transaction the ATS enabled further advancements via the rules scoring systems. The rules scoring system expanded the decision support capabilities by converting some inspection expertise into a set of related risk conditions that would be applied to each transaction. The rules provide a step-by-step procedure for accomplishing the research and identification normally performed by an inspector. Since it is computer based, the computer was able to quickly link into the various information sources automatically and pull together the information needed to identify risks and present it to the inspectors for final determination. This capability was a boon for the inspectors saving them time and enabling them to more quickly finish their pre-target research and begin the inspection process sooner.

Currently, the ATS system has evolved beyond just providing decision support capabilities for the sea mode of transportation. It is key to CBP's entire layered defense strategy. ATS connects to multiple mainframe data sources such as the Automated Commercial System, Automated Manifest System, and the Automated Export System. Additionally, ATS retains over 9 years of shipping and entry data. The rules systems have been enhanced to strengthen the risk assessment logic used to detect shipment anomalies, timeliness, and erroneous addressing, poor data quality and perform comparisons between manifest and entry data. These advanced rules provide CBP with the capability to detect not only high-risk shipments, but also to determine if the information being provided is sufficient in quality to assist us with making that determination.

To date, we use this system to determine which shipments are high risk for illicit cargo such as implements of terrorism, weapons of mass effect, or other smuggled goods. This

system is available nation-wide to our inspectors. Additionally, we have installed this system overseas in many countries where they are partnering with us in the Container Security Initiative. (

b2high & b7E

) Plus with the continued growth of ATS data storage, analysis, and display capabilities, CBP is able to expand the data used in its risk analysis and extend its passenger analysis capabilities into the land border vehicle environments.

The FY 05 funding will enable CBP to further enhance the ATS system
Some of the enhancements would include:

- Developing a land border vehicle targeting module
- Collecting data from the department of motor vehicles,
- Increasing the amount of passenger data analyzed,
- Creating a testing and training environment,
- Expanding the integration of passenger crossing data into the cargo risk assessment,
- Enhancing data collection to improve Container Security Initiative,
- Completely integrate exam findings module for Air, Land, and Sea examinations,
- Creating an outbound training region,
- Increasing the amount of retained State and Commerce Dept. export licenses,
- Improving the trend analysis capabilities of the ATS to include additional global data points such as ports of lading histories, shipping routes, and container movements.
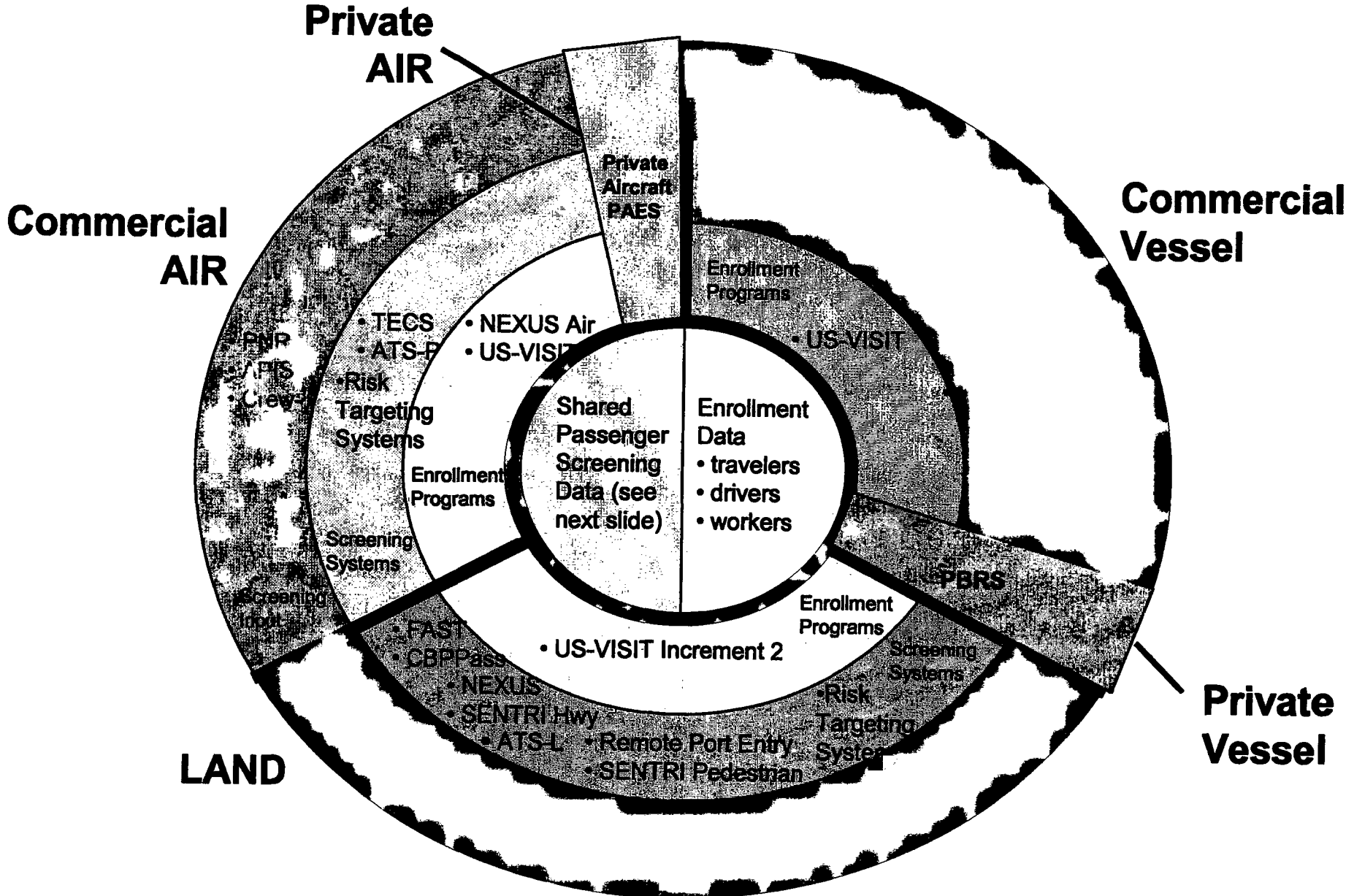
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U.S. Customs and Border Protection
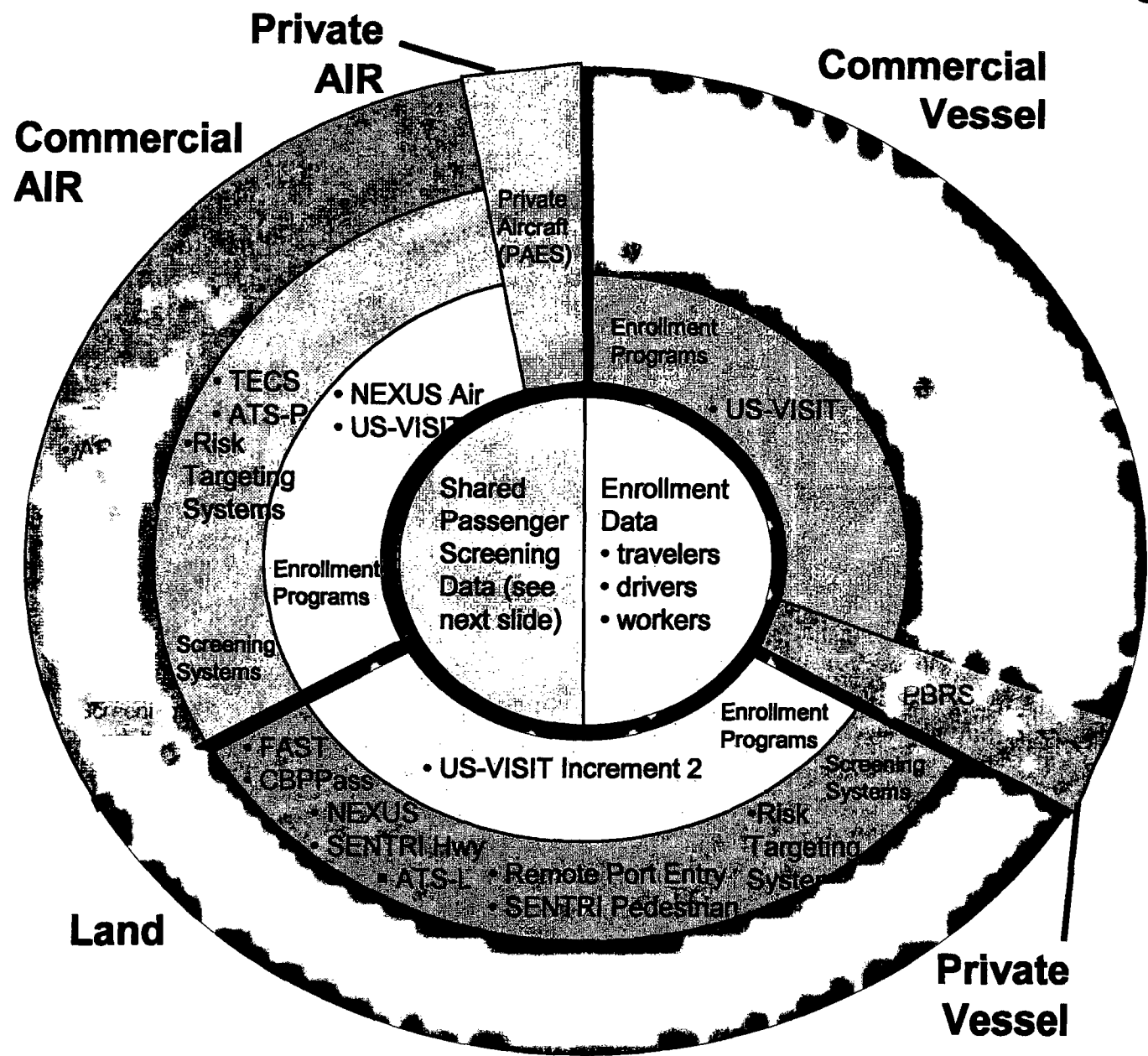
Traveler Screening Overview

February 27, 2006

BTA— Work in progress

CBP Screening 20060227

CBP Enrollment and Traveler Screening Programs

Private AIR

Commercial AIR

Commercial Vessel

Private Vessel

LAND

Private Aircraft PAES

Enrollment Programs

US-VISIT

• TECS
• ATS-P
• Risk Targeting Systems

• NEXUS Air
• US-VISIT

Enrollment Programs

Screening Systems

Shared Passenger Screening Data (see next slide)

Enrollment Data
• travelers
• drivers
• workers

• US-VISIT Increment 2

Enrollment Programs

PBRS

Screening Systems

• Risk Targeting System

• FAST
• CBPPass
• NEXUS
• SENTRI Hwy
• ATS-L
• Remote Port Entry
• SENTRI Pedestrian

CBP Enrollment and Traveler Screening Programs

Total Subject Records	
Person Primary Query Records (Annual)	b2high
Person Primary Query Records Monthly Average	
Vehicle Primary Query Records (Annual)	b5
Vehicle Primary Query Records Monthly Average	b7E
Currency and Monetary Instruments Records 1 year	
Secondary Inspection Results 1 Year	
I-94 Arrival Records 1 year	
Advanced Passenger Information System (APIS)	
- Flight Information Records 1 Year	b2high b5 b7E
- Passenger Information Records 1 Year	
*Please note: between 10 - 15% of APIS counts reflect record vetting data	
Private Aircraft Enforcement System (PAES)	
- Aircraft Arrival Records 1 Year	b2high b5 b7E
- Passenger Arrival Records 1 Year	
Bank Secrecy Act (BSA)	
- Casino Records 1 Year	b2high b5 b7E
- Foreign Bank Account Records 1 Year	
- Cash Transaction Records 1 Year	

CBP Enrollment and Traveler Screening Programs

b2high

b7E

Traveler Screening Data

Long Term Pre-Arrival (Trusted Traveler)

- GES (Global Enrollment System)

Pre-Arrival

- APIS (Air, Rail, & Vessel)
- ATS
- eAPIS (Air)
- PNR

Arrival

- ATS
- DCL (SENTRI, NEXUS,FAST)
- General Aviation Aircraft Arrival
- OARS – remote reporting
- PBRS (Pleasure Boat Reporting System)
- Primary Processing (Air, Land, Sea, & Pedestrian)
- Secondary Processing (Air, Land, Sea, & Pedestrian)

Traveler Screening Data

Total Subject Records	
Person Primary Query Records (Annual)	b2 high
Person Primary Query Records Monthly Average	b5
Vehicle Primary Query Records (Annual)	b7E
Vehicle Primary Query Records Monthly Average	
Currency and Monetary Instruments Records 1 year	
Secondary Inspection Results 1 Year	
I-94 Arrival Records 1 year	
Advanced Passenger Information System (APIS)	
- Flight Information Records 1 Year	b2 high
- Passenger Information Records 1 Year	b5
*Please note: between 10 - 15% of APIS counts reflect record vetting data	b7E
Private Aircraft Enforcement System (PAES)	
- Aircraft Arrival Records 1 Year	b2 high
- Passenger Arrival Records 1 Year	b5
Bank Secrecy Act (BSA)	b7E
	b2 high b5 b7E

Please Note: Numbers in chart above reflect traveler processing from 2004 - present.

ATS

ATS - Passenger

- Decision support tool that evaluates the potenital risks posed by Air and sea passengers arriving or departing from US ports

- b2 high
  b7E

- Uses information from the following systems: APIS, PNR, PHC, I-94, Visa Data, SAVI, IO25, IOIL, S/A/S, TECS, and trade records

ATS - Land

- Performs risk assessments of private vehicles and passengers crossing at the land border
- Relies on vehicle crossing histories, DMV registration and operator license data and secondary referrals
- Uses rules developed in knowledge engineering sessions with domain experts
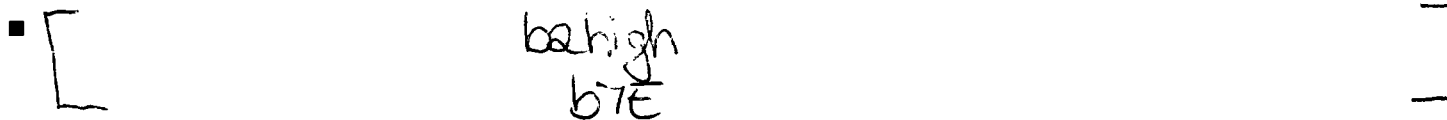
- b2 high
  b7E

ISSUE: OFO-NTS visit to CBSA regarding modifications to the joint risk-assessment mechanism

BACKGROUND: In December 2001, the Secretary of Homeland Security and the Canadian Deputy Prime Minister signed the "Smart Border" Declaration, which outlined a 30-point Action Plan to enhance the security of the Canada – U.S. shared border. Essential to the agreement was the willingness of the two countries to share Advance Passenger Information (API) and Passenger Name Record (PNR) data for high travelers destined to either country. As of August 2004, a joint risk-scoring module was screening international passengers arriving in the United States and Canada with data from CBSA and CBP's Automated Targeting System – Passenger (ATS-P) risk scoring system. The SBA risk-scoring module screened passengers against data provided by airlines.

Development of other data sets within ATS-P moved away from scoring travelers in favor of using risk-scenarios to identify non-watchlisted travelers for secondary examination. The SBA module remained as an anachronism, largely unchanged since the original targeting rules were designed during 2002-2004. CBP switched off its scoring portion of the SBA module, but sought to continue coordinated targeting with CBSA.

Prepared by: (b6   )
Program Manager
National Targeting and Security
(b2   )

Automated Targeting System

Authority

- CBP has the authority to access information from the ATS system and other programs under the Customs and Border Protection's border authority derived from 19USC1467 and 19CFR162.6. These provisions state that all persons, baggage and merchandise arriving in the Customs territory of the Untied States from places outside thereof are liable to inspection by a CBP Officer. Homeland Security Presidential Directive HSPD-6 provides additional border authority to develop and maintain thorough, accurate, and current information about individuals suspected to be, or have been engaged in terrorism and use that information as appropriate to support law enforcement, immigration, visa, and protective processes.

What is the ATS System

- The Automated Targeting System is an enforcement tool used by trained, professional CBP law enforcement officials to effectively perform their primary duty of guarding our Nation's Borders.

- ATS extracts information from the Treasury Enforcement Communications System (TECS) and the Reservation Monitoring System (ResMon) and places it in a searchable format.

- ATS can be programmed to search for criteria including, but not limited to, travel history, and immigration violations.

- ATS makes an assessment in advance of arrival based on information that DHS would otherwise collect at the point of entry.

- ATS information, combined with CBP officers' knowledge and expertise, is used to detect and prevent terrorist activity and identify other violations and violators of U.S. laws at or between the ports of entry. The system assists in the decision-making process of CBP officers, and does not replace the human factor in the process.

Brief depiction of the passenger targeting process:

- Advanced passenger information (APIS) is transmitted by the carrier to the CBP mainframe system. The APIS data contains information obtained from government-issued travel documents, including but not limited to, the traveler's full name, date of birth, passport number, and country of citizenship.

This data is queried against the TSDB, criminal databases, and other law enforcement lookout records. ATS runs rules against the data elements and identifies travelers with high-risk elements present in their travel data.

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_.). CBP officers at field locations and at the National Targeting Center can also perform queries of travel data using defined parameters to identify persons of interest. (b2high & b7E

Automated Targeting System - Passenger (ATS-P) and PNR data

- ATS makes an assessment in advance of arrival based on information that DHS would otherwise collect at the point of entry to determine risk assessments. This information includes passports, visa requirements, travel arrangements, travel itineraries and unusual travel patterns.

- ATS information is utilized and evaluated by CBP personnel without regard to the racial or ethnic backgrounds of travelers.

- ATS users are restricted access to certain sensitive data fields; that may include religion, race, political preference, health issues, meal selections and sexual preferences. Although the airline collects this type of data, it is not accessible to the CBP Officer. Access to view restricted sensitive information requires permission form the Deputy Commissioner of CBP. As of this date, no requests to access sensitive data have been submitted.

- Authorization to access passenger information is authorized and utilized only when performing official duties and only on a need to know basis.

- Effective internal safeguards are in place to protect the traveling public from unauthorized use and disclosure. Access to ATS is restricted to users who have completed the CBP background investigation, who have prior approval for TECS with an active user profile and a work function requiring access to the system. To be assigned ATS access, a supervisor must forward an access request to CBP-HQ defining why access is requested. The request is

reviewed and if approved by CBP HQ, it is forwarded to ATS Security for concurrence. ATS users are required to pass security awareness and privacy biennial training. All usage of the system is audited for compliance.

- Information derived from the system is provided to other agencies on a need to know basis only and within agency request procedures. Disclosure request require a written request from the eligible authority explaining what information is being requested and why. If approved by CBP, the record of disclosure must contain the CF191 disclosure form and approved cover letter. The document is marked with "Property of U.S. Customs and Border Protection" followed by a synopsis explaining that the information is the property of CBP and is confidential. The disclosure office maintains copies of all requests. 5 U.S.C 552 defines internal and external sharing of information, procedures and request.

- ATS data is stored for forty years to retain essential history that otherwise would be lost. This information is used not only to provide information on violators but also to protect those who are considered low risk. If it is determined that ATS data becomes irrelevant the information can be deleted by CBP.

- PNR access is restricted to CBP users (and select officers from ICE and the DHS Office of the Secretary, per DHS agreement with the European Union.) PNR data is made available to users on a need to know basis in conjunction with their official duties for the purpose of preventing and combating terrorism and other related crimes or violations.

Issue: APIS/PNR Retention Period

Background: Currently under the TECS SORN there is no definitive retention period for API data. PNR data is not maintained in TECS and is not covered by the TECS SORN.

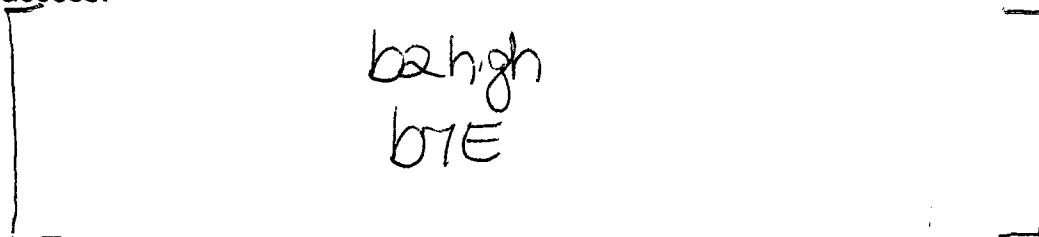b2high

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ATS Talking Points

Safeguarding ATS Data:

Access Controls

- **Procedure to request access to ATS.** To obtain authorization to the Automated Targeting System programs, the user's supervisor must approve the request, based on the user's need to use the system to perform his/her duties, then forward to OFO HQ for approval. Once approved by OFO HQ the request is sent to ATS security for verification that the requestor has a successfully adjudicated background investigation.

- **Procedure to request access to PNR Data.** To obtain authorization to PNR data contained in ATS-P the user's supervisor must forward the request to OFO HQ for approval as described above. To obtain access to PNR data via the Reservation Monitoring System, the user's supervisor must forward the request to the regional Director of Field Operations' Office for approval. The Director of Field Operations' Office then forwards the request to OFO HQ for approval. Once approved by OFO HQ the request is sent to ATS security for verification that the requestor has a successfully adjudicated background investigation.

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Due to its use of **Passenger Name Record (PNR)** data, the ATS-P module contains several unique user roles. Each user role provides different levels of PNR access:

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ATS Data Retention

- Previous SORN stated all ATS data would be retained for up to 40 years.
-
- PNR data, which is contained only in ATS-P, has a more restrictive retention schedule: general access for 7 years, and then 8 years in a dormant, non-operational status. PNR data in dormant status may be accessed only with approval of a senior DHS official designated by the Secretary of Homeland Security and only in response to an identifiable case, threat, or risk.

ATS audits

- All audits and reviews of access are conducted by OFO/NTS.
- Users no longer requiring access are deleted from the system.
- User attempts to exceed granted access are tracked by the system.

ATS IT Security

Congressional Budget Support for ATS

- **Since FY 06, has received over $28 million annually.**

  FY06 - $28.322M
  FY07 - $28.561M
  FY08 - $28.592M

CBP Information Sharing Practices

CBP has at least 3 Policy Directives that govern Information Sharing practices:

- CD 1450-015: DISCLOSURE OF BUSINESS CONFIDENTIAL INFORMATION TO THIRD PARTIES

- CD 2120-009a: Procedures for Processing Freedom of Information Act/Privacy Act Requests

- CD 4320-025: DISCLOSURE OF LAW ENFORCEMENT RELATED/SENSITIVE INFORMATION TO FOREIGN GOVERNMENTS

Each Directive notes:

- The sensitive nature of the information,
- The legal protections and prohibitions against disclosure, and
- The requirements for making any act of official sharing conditioned on acceptance of the stated terms for safeguarding the shared information.

All CBP MOU's require Confidentiality sections that mandate the information sharing responsibilities and liabilities contained in the Paperwork Reduction Act (i.e., acceptance by the receiving agency of legal liability should the information be mishandled, explicit promises to secure and safeguard the data while under the receiving agency's control, and agreement not to disseminate without prior authorization from the originating agency for the information.)

CBP - NATIONAL TARGETING CENTER
July 17, 2007

ISSUE: The Shared Border Accord API/PNR Risk Assessment and Lookout Sharing Initiatives.

SYNOPSIS: In December 2001, Secretary of Homeland Security and the Canadian Deputy Prime Minister signed a 30-point action plan, as part of the Smart Border Declaration, in an effort to enhance the security of the U.S. and Canadian shared border while continuing to facilitate the flow of legitimate travelers and cargo. The creation of the National Targeting Center (NTC) in the United States and the National Risk Assessment Centre in Canada has been a critical part of the United States Customs and Border Protection (CBP) and the Canada Border Services Agency (CBSA) efforts to meet the goals of the plan and has resulted in the need for information to be exchanged between the two centers on a regular and recurring basis.

DETAILS:
An essential goal of the API/PNR Risk Assessment Initiative is the concentration of inspectional resources on high-risk travelers while facilitating the movement of legitimate members of the general traveling population.

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Upon receipt of the information, further review takes place to determine whether or not an individual remains high risk. Mandatory examinations are not required as part of this process.

The Lookout Sharing Initiative provides for the sharing of certain records between CBP and CBSA. As part of Phase I, CBP shared terror related records available in The Treasury Enforcement Communications System (TECS). Phase II concerns the automated exchange of immigration related records between CBP and CBSA.

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In addition to the automated exchange information under the API/PNR and lookout
sharing programs, there is an ongoing relation between NTC and NRAC which allows
for inter-office referrals on passenger who might poses a threat to national security. If
such a travelers is identified, each office may request information or research to assist
with the secondary referrals and report inspection dispositions or enforcement actions.

Contact: NTC Watch Commander (b2   )

U.S. Customs and
Border Protection

Joint Review of the Undertakings

National Targeting Center

August 17, 2005

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The information included in this briefing package are Law Enforcement Sensitive
& cannot be further disseminated without permission from CBP

The CBP Anti-Terror Mission

Detecting and preventing terrorists and terrorist
weapons from entering the United States
at and between the ports of entry
while simultaneously facilitating
legitimate trade and travel.

NTC Mission

To coordinate and support all CBP field-level
Anti-terrorism activities.

U.S. Customs and
Border Protection

2

A "Day in the Life" at the Border

- 317 Ports of Entry
- 25,690 Inbound Sea Containers
- Over 1.1 Million Inbound Passengers
- 332,624 Passenger Vehicles
- 2,500 Apprehensions
- 85,006 Trucks - Land Border
- 2,459 Aircraft
- 580 Vessels

CBP NTC Mission

- Provide tactical targeting and analytical research support for CBP anti-terrorism efforts on a 24 X 7 basis

- Support Passenger and Cargo Operations in the Air, Land, and Sea Modes

- Reflect CBP law enforcement and regulatory subject matter areas

U.S. Customs and Border Protection

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Liaison Officers
Assigned to the CBP NTC

- U.S. Coast Guard

- Immigration and Customs Enforcement

- Department of Energy

- Food and Drug Administration (Prior Notice Center)

- Labs & Sciences Services

- Container Security Initiative

- Transportation Security Administration – (TSIS)

- Federal Air Marshals

- Nuclear Regulatory Commission

- Federal Bureau of Investigation

    - Counter Terrorism Watch (CTW)

Automated Targeting System

- ATS continually updates its assessments of passengers and cargo as new data becomes available.

- <u>Every</u> passenger and cargo shipment is subjected to the level of scrutiny that an experienced inspector would perform under favorable conditions.

- Results of the ATS evaluations are presented to inspectors for final decision.

ATS-Passenger

- Decision support tool that evaluates the potential risks posed by air and sea passengers arriving at or departing from US ports

- Aggregate risk scoring based upon:

b2 high

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ATS-P Start Page

[b2 high
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ATS-P Start Page

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ATS-P Start Page

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U.S. Customs and
Border Protection

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(   )2006- CBP Officers assigned to '(   )
targeted passenger,(→ b6/ b7C   ) as a high-risk traveler for document
fraud. The subject was scheduled to depart (

). CBP Officers in Honolulu
contacted airline representatives at (   ) and requested assistance in verifying the
traveler's documents. With airline assistance, Officers in (   ) were able to
determine the subject was attempting to travel on (The subject
was in possession (+b6/b7C

                                        The subject was denied boarding flight SQ
26. He was subsequently offloaded again on (   ) 2006 using the same form of ATSP
targeting.

(   ) 2006- (+b6/b7C   ) , arrived at(   )
(   ) and applied for admission as a visa waiver tourist. Passenger is
referred to secondary due to (   ) During secondary inspection
subject is found to be in possession of :(   ]

). Further checks in TECS and ATSP reveal that the subject had
maintained physical presence in the US since January of 2005. ATSP also indicated two
visa refusals. The subject was refused entrance under the visa waiver program
(212A7AiI) and returned to (   )

(   )2006- (   ) :, arrived at (__)
) and applied for admission as (
). Passenger is referred to secondary due to :(

                                                                                    1.
                                                                                    1

                                    (+b6/b7C   )
) . The subject was placed in to
deportation proceedings due to apparent abandonment of residence. Status is still
pending, next hearing scheduled for 10Jan2007.

(   )2006- (+b6/b7C   ) , arrived at (   )
(   ) , and applied for admission as a b2

visitor. Passenger is referred to secondary due to (   ). The
passenger was in possession of (

Global:
b2high
b7E

(+ b6 / b7c)

____) The subject was allowed to withdraw his application for admission (I-275) and
was returned to (b6/b7c)

(   )2006-(+ b6/b7C)   ) , arrived at (   )
(   ). and applied for admission as a visa
waiver tourist.   (_

__)he, was refused entrance under the visa waiver program (212A7AiI).

( )2006- Passengers (,
(
(_) and applied for admission as visa waiver tourists. (

Both subjects were refused entry under the visa waiver program (3B) and returned to the
(   )

(   )2006- CBP Officers assigned to (   )
targeted passengers, (+ b6/b7C   ) as high-risk travelers for
document fraud. The subjects' were scheduled to depart (

)With the assistance of (   ) airline representatives, it was
determined that i(   ). Both
subjects were (   ) They were
denied boarding (   )

Global:
bahigh
b7E

( ) 2006- CBP Officers in ( ) used ATS-P to identify a passenger high-risk for narcotics arriving from ( ) The subject, (+b6 / b7C

Global:
b2high
b7E

( ) 2006- CBP Officers at ( ) used ATS-P to identify a high-risk passenger arriving from ( ) The subject, (+b6 / b7C)

( ) 2006- CBP Officers in ( ) used ATS-P to identify a high-risk passenger arriving from (

(+ b6 / b7C)

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b7E

( ) 2006- CBP Officers at ( ) used ATS-P to identify a high-risk passenger arriving from ( ) The subject originated in (

(b6   )

12/12/2006 11:20 AM

To: NTC BORDER PATROL, NTC CARGO UNIT, NTC FAS, NTC INTEL
(b2   ) NTC ORT, NTC PERM TA, NTC TDY
cc: NTC WATCH COMMANDERS
(b2 , b6   )
Subject: Training Reminder -- PNR Disclosure

To all:

It has come to the attention that there is confusion on the targeting floor with regards to what can and cannot be disclosed to non-CBP personnel with regards to PNR information. Per (b6 , b7C) please use this e-mail as official training guidance.

1. PNR information for strictly DOMESTIC flights will NOT be viewed by CBP personnel. **EVER.** If the domestic legs of a trip are within a PNR which includes a border crossing, we can view the information for the passenger, but not for the entire flight (do not query the flight manifest in RESMON for domestic legs of itineraries including a border crossing).

2. PNR information is NOT to be copied and pasted into an event. **EVER.**

3. PNR information cannot be relayed to non-CBP personnel without a written request. This includes verbal and written disclosures. The requesting individual can make the written request in the form of a written request on letterhead or a government e-mail account. The request must indicate why the disclosure is requested (i.e., for law enforcement purposes vs. for public health interests) and the specific information requested (b2 high , b7E) If the request must also indicate whether the individual in question is a USC or LPR.

4. All liaison requests must be presented through a Watch Commander. The WC will then designate a TA to complete the disclosure.

5. The TA must complete a PNR disclosure packet. This packet will include a completed CF-191 (Disclosure Form), completed Attachment D of the PNR Disclosure policy, and a completed copy of either Attachment E or Attachment F of the PNR Disclosure policy. The WC will sign the forms once completed.

6. The requesting liaison will then receive a printed copy of the PNR. The PNR will not include any restricted information in the case of European Union flights.

7. A full copy of the PNR disclosure packet (including the PNR itself) will be given to (b6   ) for filing. You may keep a copy for yourself if you wish.

8. In circumstances where time is of the essence (b2 high , b7E) the disclosure can be made with only a verbal request to the WC. In this case, the disclosure can be made as soon as possible. This does not absolve either the requestor or the TA from the disclosure documentation.

The CBP Field Guidelines and NTC SOP with regards to PNR disclosure is attached below. If you have any questions, please feel free to speak with either a Watch Commander or any member of the Training Team.

| Revised Field Guidelines (Final) 120105.doc   PNR Policy SOP.doc

(b6   )
Targeting Analyst

Operationalizing Intelligence

National Targeting and Security's Process for Targeting the "Unknown"

Current Terrorist Threat

- Despite our nation's successes in the global war on terror, our enemies are still dangerous and more determined than ever to attack us here at home. Moreover, recent events in London demonstrate the terrorists' continuing ability to recruit operatives with no prior terrorist link (i.e. biometric or biographic) or criminal history – "clean skins."

- However, according to 9/11 commission report, "To [terrorists], international travel presents great danger, because they must surface to pass through regulated channels, present themselves to border security officials, or attempt to circumvent inspection points."

- Therefore, the border is the place where the terrorists can be stopped and must be stopped. No DHS agency is better positioned to execute this mission than U.S. Customs and Border Protection.

"Known" vs. "Unknown"

- Known

$$\left[\begin{array}{c} \text{b2 high} \\ \text{b7E} \end{array} \right]$$

- Unknown

$$\left[\begin{array}{c} \text{b2 high} \\ \text{b7E} \end{array} \right]$$

The Process of Targeting the "Unknown"

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bYE

Determining the Threat

ba high

bYE

Identify Actionable Information

b2 high
b7E

Propose Response to Threat

b2 high
b7E

Targeting Rules

b2 high
b7E

Examples of Targeting Rules

b2high
b7E

Implement Approved Response

b2 high
b7E

Analyze Results and Make Appropriate Adjustments

b2 high

b7E