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U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

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March 17, 2006

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Mr. David M. Walker
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, N.W.
Washington, D.C. 20548

Dear Mr. Walker:

U.S. Customs and Border Protection (CBP) has developed a layered security strategy that attempts to prevent terrorists from smuggling weapons of mass destruction and other contraband into the United States. A key part of that effort includes implementing what is called the Automated Targeting System (ATS), which is an automated program that reviews manifest and related data on incoming cargo containers in order to establish "risk scores" for each container. These risk scores are used to determine which containers appear suspicious and may warrant additional scrutiny, such as a physical inspection. CBP uses ATS and these scores to help target inspections at domestic ports and at overseas ports participating in the Container Security Initiative (CSI).

In March of 2005, before a hearing of the Subcommittee on Oversight and Investigations, the Government Accountability Office (GAO) reported on ATS operations and identified several key shortcomings. Moreover, GAO made several key recommendations for improving the program in a Limited Official Use report. This was done at my and others request. I am now requesting that GAO conduct followup work to determine if such recommendations have been adopted. In addition, I request that GAO continue its general audit work in this area, but specifically include the following key areas as part of its scope of work:

- 1) Evaluate CBP actions to implement previous recommendations for improvements made in GAO's March 2004 report on ATS.
- 2) Evaluate the accuracy of ATS based on the number of shipments identified as "High-Risk" and the number of those shipments that are referred for an examination at CSI ports.

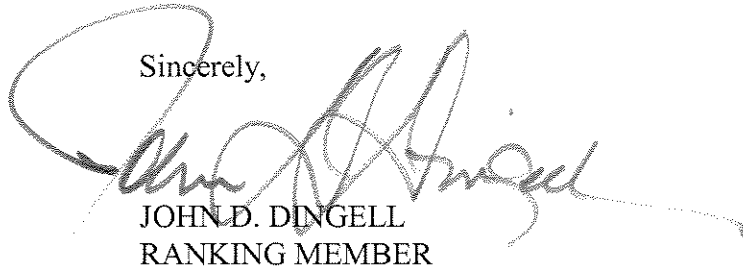
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- 3) Evaluate the adequacy of the performance measures created and utilized by CBP to assess the validity of the ATS.
- 4) Evaluate the “findings module” that CBP recently created to assess the results of ATS-targeted inspections. Determine if the module is accurately capturing the results of CBP’s inspections and, moreover, if CBP is relying on that data to continually update and improve that ATS targeting function.
- 5) Review the ATS program’s criteria for establishing rules and their associated numeric impacts on risk scores for containers, to include recent enhancements such as the OCEN 4 upgrade. Review the performance of the localized ATS database, CSI-NT, used in the CSI Port of Rotterdam and its applicability to other high volume ports.
- 6) Evaluate the specific rules used by ATS to designate a shipment high-risk, especially in consideration of the substantial benefit granted to C-TPAT certified importers.
- 7) Evaluate how intelligence from the wider intelligence community is incorporated into ATS and utilized to target incoming containers.

If you have any questions regarding my request, please contact me or have your staff contact Christopher Knauer, Minority Investigator to the Committee on Energy and Commerce at (202) 226-3400.

Sincerely,



JOHN D. DINGELL
RANKING MEMBER

cc: The Honorable Susan M. Collins, Chairman
Committee on Homeland Security and Governmental Affairs
United States Senate

The Honorable Joseph L. Lieberman, Ranking Minority Member
Committee on Homeland Security and Governmental Affairs
United States Senate

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The Honorable Norm Coleman, Chairman
Committee on Homeland Security and Governmental Affairs
Permanent Subcommittee on Investigations
United States Senate

The Honorable Carl Levin, Ranking Minority Member
Committee on Homeland Security and Governmental Affairs
Permanent Subcommittee on Investigations
United States Senate

The Honorable Joe Barton, Chairman
Committee on Energy and Commerce