

House Homeland Security Committee Joint Hearing
Subcommittee on Border Security and Enforcement and
Subcommittee on Oversight Investigations and Accountability
“Smart Investments: Technology’s Role in a Multi-Layered Border Security
Strategy”

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Introduction

Chairman Higgins, Chairman Bishop, Ranking Member Correa, Ranking Member Ivey and Members of the Committee, thank you for the invitation to testify on the role of technology and innovation in our nation’s border security strategy.

I appear before you today on behalf of the Professional Services Council (PSC). We are a trade association of companies that do business with the federal government, with more than 400 member companies and hundreds of thousands of employees across the nation. PSC represents the full scope of the government contracting sector, with companies of all sizes (small, mid-sized, and large). Our member companies work in partnership with every cabinet department and agency, supporting every mission and function of the federal government.

I am here not just as the head of PSC but also as a person with more than 40 years of experience on these issues from all sides, including two stints inside the Pentagon as well as with industry, at a think tank, in academia, and now in my ninth year at PSC. I have run contracts that undertake to bring technology to border security and to the broader challenges of national security and addressing the government’s needs. I have worked with state and local governments in partnership with Washington. I have seen the challenges that both sides face, and I have worked to provide what is needed to improve acquisition outcomes. In particular, I have long wrestled with how federal agencies can find, acquire, and use new technology and innovative processes and systems.

PSC’s member companies provide the full range of technology and professional services to all federal agencies that pertain to our air, land, and sea border-related issues. Within the Department of Homeland Security, their customers include Customs and Border Protection (CBP), the U.S. Coast Guard (USCG), the Transportation Security Administration (TSA), and Immigration and Customs Enforcement (ICE). They also support agencies beyond DHS, including for example the Office of Refugee Resettlement (ORR) in the Department of Health and Human Services and the Justice Department’s Executive Office for Immigration Review (EOIR) as well as many other programs and agencies.

PSC member companies help the government acquire and use multiple technologies, including detection systems, communication systems and networks, artificial intelligence and data

analytics, UAS (unmanned aerial systems) and counter-UAS, case management, information technology systems and infrastructure, and many other vital and emerging technologies needed for border security.

The diversity of contracts and customers, the range of solutions provided, and the size and reach of PSC member companies give us broad and deep perspectives on the challenges involved with identifying, procuring, and implementing technology and innovation to secure our borders and the important partnership role that our members and all of industry has in supporting border security in all its dimensions.

In Fiscal Year 2023 (FY23), DHS obligated more than \$25 billion on contracts, including:

- \$7 billion for CBP,
- \$2 billion for TSA,
- more than \$3 billion for ICE, and
- \$1.4 billion for USCIS.

Both new and legacy technology needs make up a significant part of those contract dollars, playing essential and critical roles in protecting and securing the border. These contracts represent the partnership of government and industry, working together on the same goal – to develop and acquire the capabilities needed for mission success through systems and processes that are timely, cost effective, and accountable. That partnership operates within federal acquisition rules and regulations that encourage competition, innovation, and investment in the homeland security marketplace.

PSC Goals for the Government-Contractor Partnership Supporting Technology and Innovation

At PSC, we support this government-contractor partnership by focusing on three goals:

- making the government a smarter customer and a better buyer (i.e., knowing what to buy and how to buy it),
- improving contracting procedures to support technology modernization and innovation, and
- supporting policies and practices that build and sustain the workforces needed to meet government missions, both for our member companies and for their government customers.

First is to help the government become a smarter customer and a better buyer, leading to improved acquisition outcomes. Being a smarter customer means knowing what is available from every source, including the private sector, the national economy, and around the world. Being a better buyer means that, once the government identifies a product or service they can use, being better able to get the funds and procure that product or service. Both goals need to focus on getting better results for the government, consistent with its needs.

Second is to support technology modernization and innovation through contracts. The government is not alone in being able to find and get innovation and new technology. Contractors can and do play vital roles in extending the government's reach, capability, and capacity. I will have more to say on these vital roles later in this statement.

Third is to support workforces needed to meet government missions, both for our member companies and for their government customers. Better and more relevant training is an important part of workforce development and retention, and it is one of the areas that government contractors can strongly support. These goals are particularly important in all the areas affected by border security, where shortages of trained, experienced personnel is a long-standing issue.

In summary, the overall goal of PSC and our member companies is to help the government operate better, improve outcomes and results, and achieve its missions. These goals are particularly important in all aspects of achieving border security.

Keys to a Comprehensive and Successful Strategy

Next, I want to touch on the elements of a successful border security strategy. My Pentagon experience taught me that a successful strategy needs to address ends, ways, and means. Most importantly, a strategy is only as good as its implementation. A key element of successful implementation is for the strategy to include finding and using technology and innovation to support its goals.

“Ends” are the objectives, both as a final state and as the strategy is being followed. What are the goals?

“Ways” are the actions and reactions taken to pursue the strategy’s objectives. What do you do, and particularly what do you do *differently*?

“Means” are the resources needed: the people, the equipment, the funds, the support, and the innovation and technology.

In essence, a strategy is a detailed plan, with goals, planned actions, and resources. Designing, issuing, and implementing any strategy, including a border security strategy, is a joint responsibility of the Congress and the executive branch, but it also depends on that government-industry partnership. Let me highlight some of the roles contractors play in setting and implementing strategy.

Our member companies do not develop or promulgate the government’s strategies. They do not set the goals and objectives. Setting goals and defining the objectives (the “ends”) of any strategy is the government’s job, what the Office of Management and Budget calls “inherently governmental functions.”

It is also the government’s job to lay out the actions and reactions taken to pursue the strategy’s objectives, the “ways” of the strategy.

The “means” are also set partially by the government. Executive branch agencies set up the offices and programs and, through the Congress, secure the funding, part of the “ways” of the strategy.

Where contractors come in is providing some of the rest of the “means,” including the necessary people, equipment, facilities, and support. Throughout the implementation of a strategy, adjustments will be needed. On the border, for example, closing one access point might lead to increased use of another access point, requiring shifts in resources and activities. It is in that adjustment and adaptation where technology and innovation can play a big role, and contractors

are also the broadest and deepest source of technology and innovation to help that adjustment. Let's look at that more closely.

Technology and Innovation

At PSC, we connect the words “technology” and “innovation” to focus on *technology* solutions and *innovation* in systems and processes. Innovations can be changes in operations, improvements in integrating data, upgrading communications systems and networks, or cutting the time needed for a specific action. Often, the two (technology and innovation) go together. Incorporating a new technology can require, for example, changes in procedures, updates in training, or alternate ways to exchange data or to communicate.

Recent years have seen a call in the government for more innovation. This includes greater access to companies in the private sector, including companies with no prior federal government business. That approach should be part of the government's pursuit of innovation, but it's not enough. The government also needs to improve its use of *today's* contractors as a path to greater use of technology and innovation.

Why is that? It is because doing business with the federal government is not the same as doing business in the commercial market. Contractors are funded with taxpayer dollars, and the American public expects tighter, more rigorous government rules and regulations for federal contractors than for other private sector companies. Congress regularly responds to instances of contractor misconduct by updating or expanding laws that flow through those regulations.

These rules mean that companies that do business with the federal government must comply with myriad requirements and produce reports that depend on accounting systems, billing processes, employee timekeeping, and detailed information far beyond those needed for commercial business. The government often requires contractors to provide access to their proprietary intellectual property, their software code, or their trade secrets.

All of these compliance requirements are designed to support government goals, but they often contribute little to actually delivering results under a contract. In general, purely commercial companies do not need or have the systems and processes in place to certify compliance with government contracting requirements. Since failure to comply often can incur civil and criminal penalties and even result in a company being debarred from future government contracts, these rules add costs and time and are therefore a disincentive for commercial companies to compete.

Since existing government contractors already have those compliance systems in place, they are in a better position to help their government customers identify useful new technology and innovation and to work with the government to modify existing contracts to incorporate that new technology into delivering better results. Using existing contractors to identify and incorporate technology and innovation can reduce the risk for the government, help target new technology and innovation to those aspects of the mission where they will produce the greatest benefit, and provide improvements without the time-consuming effort to award new contracts.

The bottom line, then, is that both new and existing contractors can help the government incorporate technology and innovation to meet mission needs, including border security.

A Multi-Layered Border Security Strategy

A multi-layered border security strategy needs to include the necessary ends, ways, and means of any good strategy. But what would a multi-layered border security strategy need to cover?

It's critical to address the immediate zone of border crossings (detection, identification, interception, etc., both at or away from authorized ports of entry) of both the southern and northern borders as well as coastlines and airports, but a multi-layered strategy is more useful if it covers additional topics, including but not limited to, for example:

- U.S. needs for better intelligence before individuals arrive at any border
- entry points that are not at the land boundaries of the nation (air, sea)
- drugs or other unwanted materiel arriving in small packages or in containers (or via drones)
- tracking people, processing cases, and managing and reducing case backlogs
- detention, housing and medical care, etc., of individuals

This broader, multi-layered approach would involve more than CBP to include not only the relevant agencies and components of the federal government but also state and local governments and other nations. In all of these interactions, a multi-layered strategy would be better to the extent it incorporates new technology and innovation in products, systems, and processes, leading to better success across the broad definition of "border security."

Most importantly, for border security, a multi-layered strategy needs to be more than simply "ends, ways, and means." The actions (the "ways") and the resources (the "means") need to be integrated, tied together in a common operating picture and interoperable, accessible, and useable by all players. Doing that demands better use of new technology and innovation across the board.

Why Is It Hard For the U.S. Government To Use Technology and Innovation?

It is hard to get the government to see the value of new technology, new systems, and new processes, to allocate scarce funds to buy and use them, and to change how it operates so that it can realize the advantages of that innovation. Why is this so hard? Here is what I've learned.

- 1) It is hard for the government to identify or become aware of applicable and relevant new technology, systems, and processes;
- 2) It takes time (years) to plan, program, budget, and get Congress to provide the necessary funding to procure and use technology and innovation;
- 3) It takes more time to solicit, evaluate, and award the contracts or buy the technology; and
- 4) It takes still more time to get the government personnel at all levels to deploy and use the new systems and processes and technology.

Using existing contractors, as noted above, can cut some time from these steps, but it still takes too long.

What, then, do we suggest will address all the issues outlined above?

PSC Suggestions To Improve Access to and Use of Technology and Innovation

PSC draws on the experiences of its member companies as they undertake to identify innovations and new technology, offer them to the government, and incorporate them into ongoing operations. Based on that, we offer the following suggestions as ways to improve access to and use of technology and innovation.

1) Earlier and More Comprehensive Identification of Innovations and Technology for Border Security

DHS components can improve their ability to find useful technology and systems and process improvements through actions such as:

- Focus their requirements, both for contracts and for operations, on results and outcomes, not just on inputs, and promulgate those requirements publicly so that companies can work to develop technology to meet them. Update the requirements often to incorporate available innovation.
- Develop and make publicly available a long-term (e.g., five year) investment plan and update that plan regularly.
- Expand communications with industry and encourage both existing and potentially new contractors to offer solutions. Give feedback to those offerings.

2) Support Long-Term Resource Commitments and Increase Flexibility for Existing Resources

DHS can improve its use of existing funding and justify the need for additional funding. These suggested steps and improvements may help.

- Border security will be substantially improved if Congress appropriates funds on time, by the beginning of the fiscal year, avoiding continuing resolutions or the disruptive threats of a government shutdown. On-time appropriations will enable DHS components to access technology and innovation faster and get results sooner.
- DHS can use existing reprogramming authority earlier and more often in the fiscal year to address emerging needs and opportunities. (Note that this needs support from both the White House and Congress.)
- Use multi-year funding and contracts to support key investments in new technology.

3) Speed Contract Awards

An age-old problem with the government is that, when contracts take too long to put in place, by the time new technology is procured, it will no longer be new. Recent data show clearly that, across the government, the time between a contract solicitation and the award of that contract has been getting longer. In addition, delays appear to be increasing in the period of time before a solicitation is issued. Both of these problems need attention by DHS and Congress.

Congress can help by conducting oversight hearings that illuminate both the increased time consumed by contracting and the causes and possible fixes to reduce that time. Congress can also help by requiring annual reports from DHS on procurement and administrative lead times for all types and sizes of contracts.

4) Training To Use New Technology

We all know how hard it is to adapt to an upgrade or an innovation in something that we are used to, whether it's using a new cell phone, the latest version of the operating system of a laptop, or the features and controls of a new car. This same dynamic exists when any agency or component incorporates new technology and innovation into existing operations.

To offset this natural occurrence, DHS components could plan for and fund the time, the resources, and the capacity and capability to train the workforce to take advantage of new technology. Contractors can help develop and provide that training more rapidly and broadly.

Conclusion

In closing, on behalf of PSC and our members, I thank you for your time and consideration of these matters. PSC member companies are proud to work with CBP, with DHS, and with other federal departments and agencies to provide technology and increase innovation for border security. We are committed to the missions.

As always, PSC is available at your convenience to address any questions or concerns the Committee has, now and in the future. I will try today and for the record to answer any questions you may have, and I look forward to continuing to work with the Committee and these Subcommittees on these issues. Thank you.