

Statement of

The Honorable Maria Cantwell

United States Senator
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Thank you very much Mr. Chairman for inviting me to testify.

The need for greater border security became glaringly evident to us in the Northwest in 1998 when Ahmed Ressam, a terrorist trained at one of Osama bin Laden's training camps in Afghanistan, was arrested shortly after crossing the Canadian border at Port Angeles, Washington. Explosives and other bomb-making materials were found in the trunk of Ressam's car. Ressam's plan was to head to Los Angeles to blow up the Los Angeles Airport. Thanks to the work of Diana Dean, the U.S. Customs Inspector, this terrorist was apprehended. This frightening incident made clear the vulnerabilities we face along the porous northern border, vulnerabilities that became even more concerning after the Sept. 11, 2001, terror attacks.

But the Ressam case raises questions about our international standards. Ressam began his journey on a French visa, leaving Algeria and landing in Versailles. Ressam came into the United States after creating a trail of fraudulent documents on his journey from Algeria to the United States - first obtaining a French passport on the basis of a fake French birth certificate; he then entered Canada under his own name, seeking refugee status. While living in Canada, he used a false baptismal certificate to obtain a Canadian passport under an alias.

An international biometric standard for visas would have identified Ressam the first time he tried to enter France. That identification would have been traceable when he entered the United States and he would have more easily been stopped.

In the Patriot Act, I was able to work with Senators Hatch and Leahy to add provisions in to establish technology standards for the U.S. visa program. Those provisions, section 403(c) of the Patriot Act, called for technology standards to facilitate a comprehensive screening of visa applicants at our overseas consulates; access to the necessary law enforcement, watch-list and intelligence information at our consular offices and at border crossings, and verification of the identity of persons crossing our border as being the same person who obtained the travel documents and that the person is someone we would not want to exclude from entering the United States.

In the Enhanced Border Security and Visa Entry Reform Act of 2002, I worked closely with Senators Kennedy, Feinstein, Brownback and Kyl to include in Section 603 a requirement that the Department of State and the Department of Homeland Security coordinate this same technology into their work with Canada, Mexico and the 27 visa waiver countries. This would implement standards for visa programs that would be compatible with those adopted in the U.S. More simply said, we must recognize that we need international cooperation, we need the

international community to adopt visa technology standards compatible with our own. This would enable us to catch the Ressams of the world sooner.

The problem begins in the United States. The requirements of the visa technology standard, like the passport standards, have not been met. Congress required that visa standards be set by 2003. In a report issued in November of 2002, The National Institute for Standards and Technology, the standards body responsible for certifying the standard, recommended dual-biometric for visas: fingerprints and facial recognition. With the US VISIT Program, the Department of Homeland Security has begun to implement a national biometrics program using dual biometrics. But the biometrics chosen don't allow for searching FBI or Interpol databases. More analysis should be done on the appropriate standards.

The Departments of State and Homeland Security, must make it a priority to establish U.S. standards, and to work with the International Standards setting Organization, the ISO, which is the network of national standards institutes from 148 countries, and the International civil aviation organization, to adopt these standards.

We need to stop terrorists before they are at our borders. In fact, we should be working first and hardest in regard to the seven State Department listed "terrorist states." These are the countries in which we must first implement biometric standards in travel documents and make the screening information available to those issuing those documents, along with the 27 visa waiver program countries. It should be the priority.

The 19 hijackers that perpetrated the attack on the U.S. on September 11, 2001 had submitted 24 visa applications, receiving 22 tourist visas and one student visa. The 19 entered the United States a total of 33 times before flying airplanes into the Twin Towers and the Pentagon. We have got to do a better job at securing our visa process.

I am asking this committee to take a very close look at the progress on the international establishment of both the visa standard and the passport standard - these technical matters are inextricably linked in how we protect our borders. Given the significance of these technology standards, and the delay in implementing the requirements of the statute, I ask that committee be updated by the Administration every six months.

Thank you Mr. Chairman for giving me the opportunity to testify.