

Testimony of  
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Before The Senate Committee on the Judiciary Subcommittee on Terrorism, Technology and Homeland Security Regarding "Interrupting Terrorist Travel: Strengthening the Security of International Travel Documents"

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Good morning Chairwoman Feinstein, Senator Kyl, distinguished Members of the Subcommittee. I am pleased to be here today to discuss how the Department of Homeland Security (DHS), particularly U.S. Customs and Border Protection (CBP), is moving forward on programs that will facilitate travel, but still provide the level of security required to protect the United States. This is an enormous challenge. We share more than 7,000 miles of borders with Canada and Mexico and operate 325 official ports of entry. Each day, CBP officers inspect more than 1.1 million arriving travelers, and examine their documents, baggage, and conveyances. Last year alone, CBP welcomed over 422 million travelers through official ports of entry. During fiscal year 2006, CBP processed a record 87 million air passengers arriving from abroad by air, the second consecutive fiscal year the number of such passengers has exceeded pre-9/11 levels.

I begin by expressing my gratitude to the Subcommittee for the support you have shown for important initiatives that enhance the security of our homeland. Your continued support has enabled CBP to make significant progress in effectively securing our borders and protecting our country against terrorist threats. CBP looks forward to working with you to build on these successes.

I would also like to mention that DHS is committed to working with Secretary General Noble on the implementation of the Stolen Lost Travel Document (SLTD) system this year. CBP has taken the lead in the implementation of this program and we are currently on schedule to become the first country to use the SLTD as an integrated prescreening tool. The SLTD will be added as one more tool available to our officers in the field. It is also important to note that DHS, including CBP representatives, are active participants in the Interpol SLTD Advisory Committee.

As America's frontline border agency, CBP employs highly trained and professional personnel, resources, and law enforcement authorities to discharge our priority mission of preventing terrorists and terrorist weapons from entering the United States. CBP has made great strides

toward securing America's borders while facilitating legitimate trade and travel and, thereby, ensuring the vitality of our economy.

Our efforts to gain operational control of our borders and push our zone of security outward enable CBP to better perform the traditional missions of its legacy agencies, which include: apprehending individuals attempting to enter the United States illegally, stemming the flow of illegal drugs and other contraband, protecting our agricultural and economic interests from harmful pests and diseases, protecting American businesses from the theft of their intellectual property, regulating and facilitating international trade, collecting import duties, and enforcing United States trade laws. In fiscal year 2006 alone, CBP processed more than 29 million trade entries valued at \$1.8 trillion, seized 2.5 million pounds of narcotics, processed more than 25 million containers, intercepted 47,951 significant plant pests, and inspected 132 million vehicles.

Since its inception on March 1, 2003, CBP has worked diligently to facilitate the flow of legitimate travelers into the United States. The vast majority of persons attempting to enter the United States through ports of entry have valid documentation and are lawful travelers. Some, however, attempt to enter the United States illegally through the use of fraudulent documents or other fraudulent means. CBP has implemented a number of complementary programs, both domestically and internationally, to combat the use of fraudulent documents and apprehend those who attempt to enter the United States illegally.

The standardization of travel documents is a critical step to securing our Nation's borders and increasing the facilitation of legitimate travelers. Currently, travelers may present thousands of different documents to CBP officers when attempting to enter the United States, creating a tremendous potential for fraud. In fiscal year 2006 alone, more than 209,000 individuals were apprehended at the ports of entry trying to cross the border with fraudulent claims of citizenship or false documents. The Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) addresses this vulnerability by mandating that the Secretary of Homeland Security, in consultation with the Secretary of State, develop and implement a plan to require U.S. citizens and foreign nationals to present a passport or other appropriate identity and citizenship documentation when entering the United States. The Western Hemisphere Travel Initiative (WHTI) is that plan, and it will require all travelers to present a passport or other accepted document that establishes the bearer's identity and citizenship in order to enter or re-enter the United States.

The initial phase of WHTI went into effect January 23, 2007, obligating all air travelers, regardless of age, to present a passport or other acceptable secure document for entry to the United States by air within the Western Hemisphere. The implementation of the air portion of WHTI was highly successful, with documentary compliance rates of 99% and no interruption to air transportation. This high level of compliance was due to the holistic and collaborative planning approach taken by DHS and the Department of State by working with the airline and travel industries, and before the new rules went into effect.

As early as January 1, 2008, travelers arriving by land or sea will be required to present a valid passport or other secure document, as determined by DHS. As with the air portion of the WHTI requirement, we are taking a holistic and collaborative approach to implementing these new requirements.

In partnership with the Department of State, the Department is using an additional layer of enforcement at our ports of entry. United States Visitor and Immigrant Status Indicator Technology (US-VISIT) uses biographic and biometric information to enhance the security of US citizens and visitors. US-VISIT is part of a continuum of security measures that begins overseas and continues through a visitor's arrival at a United States port of entry. In those cases where a visa is issued by the Department of State (in the biovisa program), biometrics such as digital, inkless finger scans, and digital photographs allow the DHS to determine whether the person applying for admission to the United States is the same person to whom Department of State issued the visa. Additionally, the biometric and biographic data are checked against watch lists of known or suspected terrorists, outstanding wants and warrants, immigration violations, and other criminal history information. This check verifies if an individual is the same person previously encountered by DHS and/or the Department of State, improving our ability to intercept the use of fraudulent identities and to make admissibility decisions, as well as the Department of State's ability to make visa determinations. Biometric identifiers help us identify a visitor's identity so that we may match the visitor with his or her travel documents. Biometrics protect our visitors by making it virtually impossible for anyone else to claim their identity should their travel documents, such as a visa, be stolen or duplicated.

Non-immigrant visa holders and individuals applying for admission under the Visa Waiver Program are currently subject to US-VISIT biometric entry procedures at all port of entry environments. DHS published a proposed regulation to expand these procedures to additional classes of non-citizens. In addition, DHS has piloted biometric collection at exit over the last three years. DHS's US-VISIT Program has substantially added to CBP's screening capabilities, enhancing our ability to process travelers in a timely and secure fashion, and has had a deterrent effect to those who would seek to obtain admission illegally. US-VISIT's transition to a full ten-fingerprint collection system will further strengthen and expand our screening capabilities. Our collaborative efforts have made travel safer and more secure by allowing DHS and the Department of State to identify persons attempting to enter the United States using fraudulent identities and successfully screen individuals to determine whether they constitute a risk to national security.

In 2000, Congress made permanent the Visa Waiver Program (WIP). Each year approximately 15 million people from WIP countries enter the United States, free to travel for 90 days without a visa. To increase the security of the travel documents presented applicants for admission under VWP, a machine-readable zone and a digitized photograph of the bearer were mandated in 2004 and 2005, respectively. In an effort to provide for secure verification of passport validity and to better detect fraudulent passports from VWP countries, e-passports were mandated in October 2006. These e-passports, which have an embedded electronic circuit chip containing biographic and biometric data, assist CBP officers in detecting fraudulent passports and passports in which the photograph was substituted or altered. E-passport document readers are now at 33 U.S. airports where 97 percent of VWP travelers enter the United States.

In an effort to extend our zone of security outward, the Immigration Advisory Program (IAP) posts officers overseas at high-volume, high-risk airports to screen passengers before they board aircraft destined for the United States. The IAP has two major objectives: to enhance the security

of air travel by preventing terrorists from boarding commercial aircraft destined for the United States, and to reduce the number of improperly documented passengers traveling from or through a country to the United States. IAP teams identify high-risk and terrorist watch-listed passengers using the Automated Targeting System in coordination with the National Targeting Center (NTC), the Regional Carrier Liaison Groups (RCLG), and/or an assessment of passengers and their documentation. IAP works closely with air carriers and law enforcement authorities in host countries to ensure the proper disposition of cases involving identified high-risk passengers. In addition, IAP officers provide training to carriers and host authorities in document examination and passenger assessment.

Since the IAP became operational, more than 1,624 passengers have been prevented from boarding planes bound for the United States. Of those, nine were prevented from boarding flights because of security concerns - four were on the Transportation Security Administration (TSA) No-Fly list, and five were the subject of Terrorist Identities Datamart Environment (TIDE) records, the U.S.'s comprehensive terrorist database, with sufficient derogatory information to support a refusal of admission. In addition, 103 passengers attempting to travel with fraudulent documents were stopped, and 1,512 who were otherwise improperly documented were also intercepted. To date, the IAP has saved CBP \$2.44 million in processing costs and the airlines \$2.4 million in fines. Current IAP locations include Amsterdam, Netherlands (since June 2004); Warsaw, Poland (since September 2004); London-Heathrow, United Kingdom (since April 2006); and Tokyo-Narita, Japan (since January 2007). We expect to expand the IAP to include additional locations this fiscal year.

Additionally, the Carrier Liaison Program (CLP) was developed to enhance border security by helping commercial carriers to become more effective in identifying improperly documented passengers destined for the United States. The primary method for accomplishing this mission is by providing technical assistance and training to carrier staff. Technical assistance includes publication and distribution of information guides and document fraud summaries and alerts. The CLP provides training on U.S. entry requirements, passenger assessment, fraudulent document detection, and imposter identification using state-of-the-art document examination material, equipment, and training tools. Training is delivered at U.S. ports of entry and at airports abroad by experienced CLP officers and is customized to meet the needs of specific carriers or locations based on performance analysis or emergent circumstances. CLP officers also assist carriers to develop and implement strategies to reduce travel document abuse. To date in fiscal year 2007, CBP has completed 31 training sessions - 17 overseas and 14 at U.S. ports of entry - and over 2,300 airline personnel and document screeners have been trained. CBP has scheduled training at over 40 overseas locations and 30 U.S. ports of entry this fiscal year. For fiscal year 2008, CBP anticipates additional training sessions at over 50 overseas locations and 30 U.S. ports of entry.

In December 2006, three Regional Carrier Liaison Groups (RCLGs) in Miami, Honolulu, and New York City became fully operational, in conjunction with the Office of Alien Smuggling Interdiction. The RCLGs have two primary functions: to provide a 24/7 source of information and expertise to carriers and border control authorities, and to prevent fraudulently and improperly documented aliens from boarding U.S.-bound aircraft through various targeting methods and by working with carriers and U.S. government representatives overseas including IAP officers and DHS representatives at U.S. Embassies worldwide. Recommendations are made

to the carriers not to board aliens identified as fraudulently or improperly documented. Non-fraud cases involving basic documentary deficiencies, such as expired documents, are also offloaded from planes. Since the beginning of fiscal year 2007, the RCLGs have been responsible for the offload of 419 improperly documented travelers, 150 of whom were carrying fraudulent documents. This has also saved airlines the cost of round-trip transport for travelers who would be denied entry.

In January 2005, CBP created the Fraudulent Document Analysis Unit (FDAU) to collect documents, provide ports with analysis of document trends and intelligence information, and target persons being smuggled into the United States using fraudulent documents. In 2006, the FDAU received more than 34,000 fraudulent documents confiscated at ports of entry and mail facilities. Through analysis of the documents received, the FDAU provides information on trends in fraudulent documents to our officers on the frontline. This, in conjunction with continual on-the-job training, musters, and classes, gives CBP officers the expertise and knowledge to effectively detect fraudulent documents when they are presented at the ports of entry. The Immigration and Customs Enforcement (ICE) Forensic Document Laboratory (FDL) is an accredited forensic laboratory, which provides scientific examination of questioned documents, maintains a document reference library, and provides support for field investigations. CBP works cooperatively with ICE to provide training to CBP Officers and to conduct special operations targeting travel documents in various CBP venues. In addition to the initiatives outlined above, we have been working in four areas to improve the data CBP gathers and maintains on lost and stolen passports:

? CBP has been refining the use of targeting systems to account for alterations of passport numbers by forgers attempting to defeat the watch listing of lost and stolen documents. By modifying screening systems to search for "near-matches," in addition to the existing exact matches to passport numbers, CBP will increase its success in identifying and interdicting lost and stolen passports that are being misused for entry to the United States.

? By accessing the Interpol SLTD, CBP will increase the data currently screened against for lost and stolen documents. CBP has completed a pilot with Interpol, which yielded technical data, hits against SLTD for evaluation, and issues that will need resolution to effectively utilize the SLTD at ports of entry. CBP is working with Interpol on this connection now. Secretary Chertoff has made linking with SLTD a Departmental goal in 2007. DHS is currently negotiating a memorandum of understanding with Interpol, so that CBP can continue to receive and utilize this important information. Interpol data will supplement existing data in the border screening system and serve as yet another resource for frontline officers.

? Since September 2005, the U.S. and Australia have been involved in a Regional Movement Alert System (RMAS) pilot. In March 2006, New Zealand joined RMAS with the U.S. and Australia. This tri-lateral pilot enables participating Asia-Pacific Economic Cooperation (APEC) economies to access data on lost, stolen, and otherwise invalid travel documents in real time, without the necessity of pooling data in a central database and ensuring that the most current data is always available. Based on the success of this pilot, other APEC economies have expressed interest in joining and expanding the network of available information. This initiative has proven particularly adept because it links the passport-issuing authorities with the border agencies-

raising the level of confidence in the "hits" and enabling real-time communication between agencies as they make admissibility determinations. This level of communication is unique with regard to lost and stolen passport screening.

? CBP is working with the DHS Office of International Enforcement, which administers VWP policy for DHS, to become the first point of intake for lost and stolen passport information. This would ensure that this critical data is immediately directed to the border screening, system.

CBP is committed to continuing work with Interpol to connect SLTD as one more resource for our frontline officers. We are committed to this task and are working with Interpol, through U.S. National Central Bureau on procedures and systems to support implementation. This implementation includes the first time the SLTD will be available anywhere in the world as a fully integrated pre-screening tool, and not just a tool used after arrival. We believe that this will accomplish the dual goals of facilitating legitimate travel, while ensuring sufficient time to coordinating potential SLTD hits with Interpol.

It is important for you to know that the border screening system used at all ports of entry today holds more than 3.4 million lost and stolen passport records. This data, which comes in large part from the Department of State, serves a long-standing mission of the border agency-the detection of lost and stolen passports. Officers are trained to identify mala fide travelers from those who have been victims of theft or have simply misplaced their passports. CBP works assiduously to ensure that legitimate persons are not unduly delayed while using every available resource to identify suspect persons and equip frontline officers with the training, resources and data points necessary to enable swift and accurate detection of suspect persons and documents. Additionally, CBP works in coordination with the DHS Office for Civil Rights and Civil Liberties to facilitate legitimate travelers and prevent unnecessary delay by incorporating new programs, like the DHS Traveler Redress Inquiry Program, to ensure our law enforcement databases are accurate.

Madame Chairwoman, Senator Kyl, Members of the Subcommittee, I have outlined today some of the ways that CBP and DHS detect fraudulent documents at the border, while ensuring the identification and verification of citizenship of each applicant for admission. With the continued support of the Congress, CBP will continue to protect America from the terrorist threat while also accomplishing our traditional missions in immigration, customs, and agriculture and balancing our enforcement missions with the need to effectively facilitate the flow of legitimate trade and travel. I appreciate this opportunity to testify before you and would be happy to answer any questions that you may have.