

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY IN COORDINATION WITH
DEPARTMENT OF STATE

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SECURE BORDERS AND OPEN DOORS
ADVISORY COMMITTEE

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MEETING

+ + + + +

WEDNESDAY, DECEMBER 6, 2006

The Advisory Committee met in the Georgetown Room in the Hilton Washington, 1919 Connecticut Avenue, N.W., Washington, D.C., at 12:30 p.m., Jared Cohon and John Chen, Co-Chairs, presiding.

PRESENT:

JARED L. COHON	Chair
JOHN S. CHEN	Co-Chair
ROXANNE COHEN SILVER	Member
SANDY DHUYVETTER	Member
ROGER DOW	Member
JOHN ENGLER	Member
J.W. MARRIOTT	Member
JAMES MAY	Member
MARIA LOUISA O'CONNELL	Member
EDUARDO J. PADRON	Member
GREGORY PRINCIPATO	Member
JAMES A. RASULO	Member
KEITH REINHARD	Member
PAUL B. ROTH	Member
RICHARD STEPHENS	Member
ROSE MARY VALENCIA	Member
CHARLES VEST	Member

ALSO PRESENT:

Michael Chertoff	Secretary, Department of Homeland Security
HENRIETTA FORE	Under Secretary, Department of State
AL MARTINEZ FONTS	Assistant Secretary, Department of Homeland Security
Maura Harty	Assistant Secretary, Department of State
TONY EDSON	Deputy Assistant Secretary, Department of State
MIKE FULLERTON	Deputy Executive Director, HSAC, Department of Homeland Security
BOB COYLE	Ethics Advisor, Department of Homeland Security

I N D E X

WELCOME AND INTRODUCTIONS

Al Martinez-Fonts, Assistant Secretary 4
Department of Homeland Security

OPENING REMARKS

Jared Cohon, Chairman 20
John Chen, Co-Chairman 25

STRUCTURE AND ETHICS OVERVIEW

Michael Fullerton 29
Bob Coyle 31

MODEL PORTS OF ENTRY

Robert Jacksta 38

E-PASSPORTS AND PASSPORT CARDS

Frank Moss 53

U.S.-VISIT Exit Procedures

Robert Mocny 63

CONSULAR PROCESSES

Tony Edson 76

QUESTIONS FROM ADVISORY COMMITTEE 84

UNDER SECRETARY FORE, DOS 95

ASSISTANT SECRETARY HARTY 106

SECRETARY CHERTOFF 111

1 P-R-O-C-E-E-D-I-N-G-S

2 1:05 p.m.

3 ASST. SECRETARY MARTINEZ-FONTS:

4 Good afternoon and welcome to everyone. My
5 name is Al Martinez Fonts and I'm the
6 Assistant Secretary for the private sector at
7 the Department of Homeland Security.

8 I wanted to welcome everyone who
9 is here with us, the committee members, the
10 Government colleagues, the special guests from
11 the private sector, the press, to really what
12 is the Inaugural Meeting of Secure Borders and
13 Open Doors Advisory Committee.

14 I am very pleased to be joined and
15 I'm going to in a minute ask the folks at the
16 table to introduce themselves. But I would
17 like to specifically recognize Tony Edson,
18 Deputy Assistant Secretary of State for Visa
19 Services.

20 As you know, this committee all
21 came out of the Rice-Chertoff Initiative and
22 it is a joint effort between the Department of
23 State and the Department of Homeland Security.

1 If I could, what I'd like to do to
2 start the meeting. This is the public part of
3 the meeting. We will then after this portion
4 that will last a little bit over an hour, we
5 will go into a closed session with the
6 committee members.

7 But what I'd like to do right now
8 and if I could pick on Bob Mocny down at the
9 end of the table to start us around, please
10 introduce yourself with your name, rank,
11 serial number and whether you're with the
12 Government sides of things or you're a new
13 member. And your interest in just a few words
14 in this whole topic.

15 Bob.

16 MR. MOCNY: Thanks, Al.

17 Good afternoon everybody. My name
18 is Bob Mocny, I'm the Acting Director for the
19 U.S. Visit Program. I am on the Government
20 side of the house and it's good to be amongst
21 some of the old friends here, part of the Data
22 Management Improvement Task Force that was of
23 many years ago. But, again, a lot of the same

1 people who are interested in what we're trying
2 to do, which is to make travel safer, but also
3 convenient at the same time. So, I look
4 forward to participating in this meeting and
5 continuing the relationships that have
6 developed over the many years.

7 MS. DIBBLE: Hi. I am Liz Dibble.

8 I'm the Principal Deputy Assistant Secretary
9 at the State Department in the Bureau of
10 Economic and Business Affairs. And we are
11 delighted to be here as well as part of our
12 outreach to the business community.

13 MR. JACKSTA: Good afternoon.

14 I'm Bob Jacksta from Customs
15 Border Protection. I'm the Executive Director
16 for Travel and Security and Facilitation. And
17 my role is I've been actively involved with
18 the model port and moving that forward from a
19 Customs Border Protection perspective.

20 MR. MOSS: Good afternoon. I'm
21 Frank Moss. I'm the Deputy Assistant
22 Secretary of State for Passport Services.
23 Probably enough said. I do passports, e-

1 passports and soon passport cards to
2 facilitate the travel of Americans abroad.

3 MS. GINSBERG: I'm Susan Ginsberg.
4 I'm an independent policy analyst and
5 consultant. I served on the staff of the 9/11
6 Commission, focused on the control of the
7 borders and have a continuing interest in
8 constraining terrorist and criminal mobility.

9 MEMBER VEST: I'm Chuck Vest, the
10 former president of MIT.

11 I have a variety of interests and
12 activities associated with higher education,
13 U.S. competitiveness and have been quite
14 engaged in a number of the debates about
15 immigration policy as it applies to academia.

16 And also a strong interest in the success of
17 our intelligence committee, largely nucleated
18 by my service on the Robb Silberman Committee.

19 MEMBER MAY: Good afternoon. My
20 name is Jim May. I'm President and CEO of the
21 Air Transport Association. As such, I
22 represent our nation's airlines and we have
23 more than a passing interest in all of the

1 subjects that are going to be discussed here
2 today.

3 MR. PADRON: I am Eduardo Padron,
4 President of Miami Dade College, a small
5 institution in Miami, Florida, and enrolling
6 about 168,000 students, which makes us the
7 largest college or university in the United
8 States. And we have a large involvement of
9 foreign students, actually students from 171
10 countries. And that's one main interest of
11 mine is how do we make sure that we continue
12 to welcome the students in the United States
13 and how do we facilitate their coming and
14 going?

15 In addition to that, I come from a
16 city where terrorism plays a major role and
17 our port and our airport are the major engines
18 of economic development.

19 Miami has the largest number of
20 international passengers and the largest
21 number of international flags over any other
22 city in the nation. So, these discussions are
23 very relevant to those of us who come from

1 that area.

2 MEMBER ENGLER: I'm John Engler,
3 the President of the National Association of
4 Manufacturers, the largest industrial
5 manufacturing trade organization in the
6 country. And we represent some 12,000
7 manufacturers as members and when we add in
8 our state level affiliates at our
9 manufacturing associations. Upwards of 100,000
10 manufacturing corporations around the country.

11 So, we have an interest in commerce and we'd
12 like to export more. We'd like to bring some
13 of our customers here.

14 We like our goods to go on the
15 back of a truck or in a boat or a barge back
16 and forth across borders. So, we're deeply
17 interested in these issues here and eager to
18 participate.

19 MR. FULLERTON: I'm Mike Fullerton
20 from the Homeland Security Advisory Council of
21 the Department of Homeland Security. I'm
22 going to a little deeper introduction. Let's
23 go ahead, Tara.

1 MS. RIORDAN: I'm Tara Riordan,
2 Business Liaison Director for the Private
3 Sector Office at Homeland Security. And, in
4 particular, I liaise with the travel and
5 tourism industry on policy matters.

6 MR. COYLE: I'm Bob Coyle, the
7 Department's Ethics Official. And I provide
8 some of the administrative support to the
9 committee, particularly in the area of
10 bringing attention to ethics matters.

11 MS. GUEVARA: I'm Ana Guevara,
12 Deputy Assistant Secretary for Services at the
13 Department of Commerce.

14 MS. MARANO: Yes. I'm Helen
15 Marano. I work in concert with the Deputy
16 Assistant Secretary in Services at Commerce.
17 I'm the Director of the Office of Travel and
18 Tourism Industries, so a little bit of
19 everything is all about our office and our
20 Commerce Department, as we serve on the
21 Secretary's Number 12 priority for this year
22 regarding recent facilitation and anything and
23 everything to do with insuring safe, secure

1 travel but also that we are pleasant and
2 amenable to making sure that travelers come to
3 our country.

4 MEMBER REINHARD: Good afternoon.

5 My name is Keith Reinhard. I'm -- and I have
6 never spoken on a microphone before. I
7 thought people would turn these on for us.

8 Anyway, where were we. I'm Keith
9 Reinhard. I'm Chairman Emeritus of a New
10 York-based world-wide advertising network
11 called DB Worldwide. I'm also Founder and
12 President of Business for Diplomatic Action,
13 which is an organization to enlist U.S.
14 business in lifting our reputation around the
15 world.

16 My primary interest here is to
17 ease or reduce barriers to entry for
18 legitimate business travelers, convention
19 business and so forth and also tourism. And
20 also for re-orienting the often abusive
21 behavior visitors encounter at our borders.

22 MEMBER DOW: I'm Roger Dow. I'm
23 President of the Travel Industry Association.

1 And I and my colleagues believe that these
2 two areas are not mutually exclusive and to
3 win in them has great opportunity for America.
4 To lose in these areas has great risk to us.
5 So, I'm very interested in this area.

6 MEMBER ROTH: Good afternoon. My
7 name is Paul Roth. I'm an Emergency
8 Physician. In fact, I commanded a team that
9 went to the Twin Towers right after 9/11. So,
10 I saw first-hand what not having secure
11 borders means. But I'm also the Dean of the
12 Medical School at the University of New
13 Mexico.

14 I've been Dean since 1994, which
15 is a track record in medicine these days. And
16 I'm also the Executive Vice President for the
17 Health Sciences Center, which has a college of
18 pharmacy and nursing and a number of allied
19 health programs.

20 So, on that side, we're just as my
21 colleague from Dade County is concerned about
22 exporting and importing students to this
23 country, as well as a Carnegie very high

1 research institution, we're interested in how
2 intellectual property, how research interests
3 would either be benefitted or inhibited by
4 whatever policies the country puts into place.

5 MEMBER O'CONNELL: Hi. I'm Maria
6 Luisa O'Connell. I'm the President of the
7 Border Trade Alliance. And our group is very
8 interested in looking at having a more
9 efficient implementation of the law and how
10 can we coordinate all the programs that are
11 affecting the movement of people and goods
12 across our borders, so that we can continue in
13 business. That's very important for our two
14 and a half millions members that we have. And
15 also to continue being a welcoming country and
16 working with our partners in Canada and
17 Mexico. So, I'm looking forward to working
18 with all of you.

19 Thank you.

20 MEMBER DHUYVETTER: Good
21 afternoon.

22 My name is Sandy Dhuyvetter. I'm
23 the Founder and the Executive Producer of

1 Travel Talk Radio and Television. We call it
2 Travel Talk Media now.

3 We reach about 135 countries every
4 month. We do conventional radio and
5 television and we take everything to the web.

6 So, we do the big conversions there. And our
7 audiences really look to us to bring the
8 experts in travel to them. So, this is a very
9 important issue, of course.

10 MEMBER SILVER: Hi. I'm Roxanne
11 Cohen Silver. I'm a Professor of Psychology
12 and Social Behavior and Professor of Medicine
13 at the University of California, Irvine.

14 My academic area of expertise is
15 in the causes and consequences of terrorism
16 and the psychological impact of disaster.

17 MEMBER VALENCIA: Good afternoon.
18 I'm Rose Mary Valencia. I'm the Director of
19 the International Office for the University of
20 Texas Health Science Center at Houston and the
21 University of Texas in the M.D. Anderson
22 Cancer Center.

23 My area of interest obviously is

1 higher education, but also academic medicine,
2 exchange programs specifically in the
3 relations of research, teaching students and
4 foreign physicians who are coming for graduate
5 medical training.

6 I'm also very concerned about
7 patient visas and ability to enter promptly
8 for medical treatment and their stays
9 remaining valid while they're here, as well as
10 employment visa, since we also have a business
11 in the Houston area that there are many
12 employers that are interested in the visa
13 business.

14 Thank you.

15 MS. JACOBS: Good afternoon. I'm
16 Susan Jacobs, a Senior Policy Advisor in the
17 Bureau of Counsellor Affairs. And I work very
18 closely on all the initiatives in the Rice-
19 Chertoff Joint Vision.

20 ASST. SECRETARY MARTINEZ-FONTS:
21 Okay. Well, thank you very much and I think
22 this ought to give everybody, not just those
23 that are here for the first time, as this is

1 the first time for everyone. But the folks in
2 the audience that are interested in knowing
3 the diverse group that we have here
4 representing the various interests that are
5 concerned about travel, securing our borders
6 and making sure that we continue to be a
7 welcoming country.

8 I'd like to ask Tony Edson for a
9 moment to give us a brief background on the
10 Rice-Chertoff Joint Vision. This is how it
11 all started almost a year ago.

12 Tony.

13 MR. EDSON: Thank you.

14 Most of you, I think, have read
15 the fact sheets and the press coverage. The
16 Rice-Chertoff Joint Vision was a joint
17 announcement by Secretaries Rice and Chertoff
18 on January 17 of last year.

19 The announcement rolled up a
20 number of specific project initiatives and
21 common program goals, sort of strategic goals
22 under three major baskets. One was renewing
23 America's welcome. Two was more secure travel

1 documents, focusing particularly on the U.S.
2 passport on the PASSport card. And three was
3 more intelligent, more effective screening,
4 meaning information sharing and also the
5 efforts that we go through to try to try to
6 make sure that our screening targets exactly
7 the people we want to target and facilitates
8 the travel of legitimate travelers.

9 The Rice-Chertoff Joint Vision was
10 much more than a list of projects, although it
11 listed some projects and we'll talk a little
12 bit today about where we stand on those. The
13 most important thing about it was that it was
14 a joint statement by those two secretaries, by
15 our two secretaries, of a shared vision for
16 how we in DHS work together and plan to
17 continue to work together through those
18 efforts, through efforts as we continue this
19 sort of constant process of improvement of the
20 management of the borders and the management
21 of the visa process overseas. The things that
22 you're liable to come up with in this
23 committee, the sort of recommendations that

1 you make through this committee will join the
2 list of things that we work with DHS together
3 on under that rubric.

4 ASST. SECRETARY MARTINEZ-FONTS:
5 Very good, Tony. Thank you very much.

6 In a moment, I'm about to turn it
7 over to the chairs here, but I'd just like to
8 mention, make a couple of comments, additional
9 comments.

10 As you know, this committee is a
11 subcommittee of the Department of Homeland
12 Security's Homeland Security Advisory
13 Committees. And this is a convoluted legal
14 structure. We have lots of lawyers here that
15 can explain that to us if we need to.

16 But as part of that, I would like
17 to recognize Doug Hoelscher. Doug, just stand
18 up for one second. Doug is the Executive
19 Director of the Homeland Security Advisory
20 Council and I'm very glad to have him and the
21 tremendous support that he and his office have
22 offered us.

23 Just very quickly, the process

1 that we did is we received nomination from all
2 over the place. We've got literally hundreds
3 of nominations. Those nominations were vented
4 as you all know. You all passed security
5 clearances and the like and we appreciate your
6 having taken the time to fill out all that
7 paperwork.

8 And, in effect, just the fact that
9 we are having this meeting really satisfied --
10 and I'm not saying that that's all we're going
11 to do. But out of the 13 issues, the 13
12 objectives that were in the original Rice-
13 Chertoff Vision, just the creation of this
14 committee satisfies that. So, we're actually
15 very happy to have you here after all that
16 time.

17 Now, I'd like to turn it over to
18 Dr. Jared Cohon, President of Carnegie-Mellon
19 University who is the Chair and John Chen,
20 Chairman and CEO and President of Sybase who
21 is the Co-Chair.

22 Jared, John.

23 CHAIRPERSON COHON: Thank you.

1 Thank you, Al, and my thanks to
2 all the members of the committee who are with
3 us today. You are all very busy people and we
4 appreciate very much your willingness to take
5 time out of your schedules to be with us in
6 what we believe to be a very important
7 assignment that we're taking on.

8 Let me say a couple of things that
9 maybe provide some context, although it's
10 stepping back a bit. And in a way, I'm
11 picking up on some of the comments that some
12 of you have made.

13 As you heard, I am President of a
14 major research university, Carnegie-Mellon,
15 and as such I have a particular perspective,
16 both as head of an institution that hosts
17 many, many foreign students. But also as a
18 university that is very engaged in research
19 around the world. And, indeed, is involved in
20 many activities around the world.

21 This group needs no convincing of
22 the importance of open borders. Indeed, one
23 can easily make the case -- history has made

1 the case that this nation owes its existence
2 and its strength to those open borders and the
3 waves of immigrants who have come and made us
4 what we are.

5 It would be a terrible thing for
6 America if we were to lose that. Indeed, it
7 could be a crushing thing for America if we
8 were to lose that.

9 From a university perspective, we
10 are committed to attracting the best and the
11 brightest students from wherever they may
12 hail. And that is absolutely essential, not
13 just at Carnegie-Mellon or MIT or University
14 of Mexico or Miami-Dade Community College.
15 But it's crucial to America. It's absolutely
16 essential that we continue to attract the best
17 and the brightest of people who create the new
18 companies, the new technologies, which become
19 the basis for economic end strength and
20 security as well. We absolutely have to
21 continue to attract these people.

22 The other thing I wanted to say
23 was from a different perspective. I'm a

1 member of the Homeland Security Advisory
2 Council and Chair of the Council's Committee
3 -- it's got a really weird name. Academia and
4 Policy Research. Don't ask me what that
5 stands for. Ask Roxy later on. She's a
6 member of the Committee and she's figured out
7 what we do.

8 From the perspective of a member
9 of the Council and a member of the Council
10 since it was created in March 2002, first as
11 advisory to the President and then to the
12 Secretary after the Department was created.
13 I have a particular perspective on this
14 conflict, this tension between openness on the
15 one hand and security on the other.

16 It's a tough one. And it's
17 exactly these two departments, DHS and State,
18 which have to deal with that tension every day
19 on a daily basis, in our embassies, in our
20 consulates, within the departments and what
21 they do.

22 There is reason for hope as
23 difficult as this challenge may be. I was a

1 member of the Council shortly after 9/11 as I
2 said and in that first, I'd say, 18 months, 2
3 years after 9/11, the visa situation for
4 international students was really very, very
5 bad. And we saw it at Carnegie-Mellon all the
6 universities with large numbers of foreign
7 students, saw first-hand how many students
8 were not getting in, how many students were
9 not able to accept places to which they'd been
10 accepts because they could not get through the
11 visa system.

12 We made the secretaries, both the
13 Secretary of Homeland Security and the
14 Secretary of State aware of these issues and
15 they responded and they responded much more
16 quickly and effectively than I ever could have
17 guessed if for no other reason it required two
18 huge departments to cooperate. And they did.

19 And while the situation is not perfect, it is
20 far better today than it was two years ago,
21 three years ago. And we have these two
22 departments and their leaderships to thank for
23 that.

1 There are remaining challenges,
2 but one of the remaining problems is
3 perception. We may have an open and effective
4 and efficient system, but if the people we're
5 trying to attract don't think so, or put off
6 by the very thought of going through the
7 process of admission to this country, then we
8 failed. So, perception is another part of
9 this.

10 In any event, I congratulate the
11 secretaries for their vision, for their
12 colleagues for getting us to this point and
13 for that's been achieved which we'll be
14 hearing about in the course of this meeting.
15 And I look forward to working with you.

16 And with that, John.

17 CO-CHAIRPERSON CHEN: Thank you.

18 We have to turn it on, right?

19 Good afternoon everybody.

20 My name is John Chen and among
21 many other things that I do, I do run a
22 company by the name of Sybase. It's a
23 technology company. Fifty percent of our

1 business comes from outside the United States
2 and consequently about 50 percent of our
3 resources are outside the United States.

4 The first objective of mine is
5 very much in line with Governor Engler, who is
6 -- it's about trade. Trade, you know, buy and
7 sell. And I think TIA had done a study and
8 released a study about at least three quarters
9 of the people around the world that would like
10 to travel to the United States find it
11 extremely difficult. And as a result, I think
12 we're losing a tremendous amount of business
13 opportunities to many different regions of the
14 world and some of them obviously to our
15 allies.

16 And in addition to that, I think
17 the well represented academic world also has
18 stated the importance in our country. You
19 know, it's about future competitiveness. It's
20 really about how we compete in the world in
21 the future and it's about talent, talent
22 recruiting, keeping, training.

23 Visiting the United States is the

1 number one diplomacy. We need everybody to
2 come here and like it and have a good time.

3 On a personal level, I think
4 technology, which is kind of my passion and my
5 job, I think technology could do a lot to
6 solve this difficult problem that President
7 Cohon just outlined which is how do you make
8 it welcoming and at the same time secure?

9 But also I want to relate to
10 everybody my personal experience. I came to
11 this country as an F1 for the visa recipient.

12 F1, which is a student visa. Gone through
13 practical trainings myself after I graduated
14 from Brown and Cal Tech, who are not
15 represented here, by the way. Oh, I represent
16 Brown and Cal Tech here.

17 So, in the future when they send
18 those fund-raising letters, I could say, I'm
19 already doing my share. Thank you.

20 But, anyway, let's see where was
21 I?

22 So, I came to this country. I was
23 born in Hong Kong and came to this country on

1 a Priority 3 visa. Oh, F1 visa, gone through
2 Priority 3 status. Became a permanent
3 resident many years ago and had the privilege
4 of voting for the last four terms.

5 And I can't believe it. I hope
6 some of you will agree that I am a useful part
7 of the society. Thank you. And I think I
8 could speak personally to some of these
9 experiences that I've gone through and I line
10 up in the immigration and visa office at L.A.
11 Downtown and getting a number 5 in the morning
12 and try not to lose my space in the line.

13 Anyway, I think there's lot to
14 offer and I hope that I could share some of my
15 experience and help, you know, in looking very
16 much forward to work with President Cohon and
17 the team here.

18 In addition, I want to close in
19 commending the Government allowing us the
20 private sector and the academic world to
21 actually have a voice in this very difficult
22 and challenging task.

23 Thank you very much, Al. I'll

1 turn it back to Michael.

2 CHAIRPERSON COHON: Thank you very
3 much, John. And, again, thanks to all.

4 One of the unavoidable first steps
5 for a committee like ours is you being
6 instructed in something called FACA, which is
7 an acronym you will come to -- know, I won't
8 say it. You'll just come to understand
9 something about FACA. The Federal Advisory
10 Council Act, which is just sort of the way of
11 life in Washington.

12 Mike Fullerton, who is the Deputy
13 Executive Director of the Homeland Security
14 Advisory Committees will brief us both on the
15 HSAC and on FACA. And then we'll hear from
16 Bob Coyle on Ethics, which is a very important
17 topic.

18 Mike.

19 MR. FULLERTON: Thank you, Dr.
20 Cohon.

21 As Dr. Cohon mentioned the HSAC
22 was started as a Presidential advisory
23 committee in 2002. And moved to the

1 Department when the Department was created.

2 The HSAC is chaired by Judge
3 William Webster, the former director of the
4 FBI and CIA and the vice chair is former
5 Secretary of Defense and Energy, James
6 Schlessinger.

7 One of the other things I should
8 mention, it does have four other
9 subcommittees. Dr. Cohon mentioned the
10 academia and policy research, as well as
11 there's the state and local government
12 advisory committee, the private sector and the
13 emergency responders.

14 One of the things about FACA, I'd
15 like to mention is that as a part of the HSAC,
16 everything that this committee does will go
17 through to the secretaries through the HSAC.
18 So, it will be reported to the Homeland
19 Security Advisory Council through the HSAC.
20 And I'm sure we can get into a larger
21 discussion about FACA, but I'll save that for
22 another date and I'll turn it over to Bob
23 Coyle for a brief ethics overview.

1 MR. COYLE: Thank you, Mike.

2 The handout that is in your
3 package that talks about the FACA composition
4 of the Committee, also has a little bit that
5 talks about the role of each of the members as
6 Special Government Employees.

7 In the service on this committee
8 you serve as Government employees, Special
9 Government Employees but nevertheless
10 Government employees. And as a result, the
11 ethics rules, standards of conduct, apply to
12 each of you, although they've been tailored
13 and we will talk about that at a time later on
14 when as the Committee does its work and talk
15 in a little more detail.

16 What I wanted to highlight today
17 as you start your work is the criminal
18 conflict of interest provision. I highlight
19 that because the broad, wide-ranging nature of
20 the topic this committee is going to address,
21 had the potential to go into areas that need
22 to be examined carefully. While the principal
23 responsibility for doing that is DHS, the

1 Department in setting the agendas for each of
2 the sessions, it is important for you to
3 understand why this gets to be a problem.

4 One of the principles that guides
5 DHS in utilizing the Federal Advisory
6 Committees is that we don't bring what are
7 called particular matters before the
8 committees. That is because, just as this
9 committee is made up of many prominent people
10 from all walks of life in the United States,
11 each member brings many interests to the
12 table, not only their employment but all other
13 aspects of their personal lives. and all
14 those have the potential to conflict. And,
15 therefore, you've been asked to file financial
16 disclosure forms so we can get a better idea
17 of where conflicts can be.

18 Generally speaking, it is not a
19 problem. Conflicts are not a problem because
20 we do not get into particular matters.
21 Therefore, whatever is being discussed does
22 not trigger the criminal conflict provision.
23 But, again, because of the potential, the

1 broad-ranging nature of the subjects you'll be
2 looking at, there is a greater probability
3 that we will confront those. We will screen
4 them from our end before we bring them to you.

5 But even among yourselves as Government
6 employees, the discussion could come up and
7 start going in those directions.

8 I just wanted to highlight today
9 208, the Criminal Provision. That says
10 Government employees are not permitted to take
11 action as a Government employee in Government
12 matters that will have a direct and
13 predictable economic impact on their
14 interests. And your interests are not just
15 those things that you own, but include imputed
16 interests from other sources, for example,
17 your spouse, dependent children, your
18 positions as officers, trustees and those
19 things we can all talk about in these other
20 sessions. But that is the trigger for these
21 conflicts.

22 Particular matters are a word used
23 in the statute and do take some time to really

1 get your arms around them. But essentially
2 what they're talking about are decisions.
3 Matters that the Government has put before it
4 or has been put before it that requires some
5 kind of deliberation, decision, some kind of
6 action by the Government. So, that's the
7 first thing.

8 It also includes for these
9 purposes not just specific identified parties'
10 interests but the interests of discreet and
11 identifiable classes, which are probably the
12 more likely areas that would arise in the work
13 of this committee.

14 We will, as I say, try to avoid
15 bringing these things to you. If we get to
16 particular matters that doesn't mean that the
17 matter cannot be discussed by the committee,
18 but it does mean that we have to stop, examine
19 the individual interest of each member to see
20 if any member has a conflict that would
21 prohibit sitting and, if so, deal with that
22 conflict. There are waivers. There are
23 various provisions that exist that can

1 identify conflicts.

2 One of those that is particularly
3 important up front is the waiver that is given
4 because of your employment. The Committee
5 Act, the administration of the Committee Act
6 understands that we are bringing people into
7 the Government because of their experience,
8 because of their background, because of what
9 they do to advise the Government on these
10 matters. Therefore, we expect you to be
11 employed in areas that also maximize those
12 very skill sets. Therefore, there is an
13 existing blanket waiver for your employment.
14 That waiver does not extend to other interest
15 related to your employment such as
16 stockholding and those other kinds of
17 interests you could have in your employer.

18 As I say, these matters will be
19 discussed in a little more detail at ethics
20 training sessions, but I just wanted to
21 highlight that particular provision so that
22 you are alert and aware of it as you begin
23 your discussions.

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Thank you.

CO-CHAIRPERSON CHEN: Thank you.

As you all know, the Rice-Chertoff Joint Vision was announced at the beginning of the year in January. And since that time, both of the departments are made a significant amount of progress, especially when it comes to the model port of entry, the E-Passports, passport cards, U.S. Visit Program and so forth. So, I would like now to turn it over to Al and, I guess, Tony, and you colleagues to provide us kind of an update please.

ASST. SECRETARY MARTINEZ-FONTS:

John, thank you very much and let me just add my thanks to Bob Coyle. I keep him on my speed dial to make sure I stay out of trouble.

So, he's a fountain of knowledge on this type of issue. So, I'm very glad that Bob is here with us today.

Let me just make a very broad statement and we'll get right into what has happened.

Even though this group is meeting

1 today some, you know, 11 months after the
2 Rice-Chertoff Vision was put out, that does
3 not mean that many, many other things haven't
4 taken place. As a matter of fact as you will
5 learn over the next hour or so, we have had
6 some tremendous progress on some of the 13
7 objectives that were part of the Rice-Chertoff
8 Initiative and the vision.

9 What I'd like to do is rather than
10 pick on every single one of them and try to
11 give you a brief update or anything, I'd like
12 to highlight a few of them and ask some of our
13 folks who have been working on this to give us
14 an update on them.

15 So, first I'd like to ask Bob
16 Jacksta, who Executive Director of Traveler
17 Security and Facilitation at Customs and
18 Border Protection, CBP, Office of Field
19 Operations, to give us a presentation on the
20 Model Ports of Entry and the work that has
21 been done on that.

22 MR. JACKSTA: Okay. Thank you,
23 Al.

1 Good afternoon everyone and I can
2 tell you that Customs Border Protection is
3 excited to be here today and to give you an
4 overview of what we've been doing with the
5 model ports.

6 Over the last 11 months we have
7 been working to try to work together with the
8 industry, with the travel industry, as well as
9 the airlines, the airport authorities to put a
10 better face on the process that individuals
11 see when they arrive at airports eventually.

12 And one of the challenges that we
13 have is that in fiscal year '06 we processed
14 approximately 420 million travelers came to
15 the United States. Most of those travelers
16 came through our land border locations, but we
17 did see 86 million travelers come through our
18 airports and approximately 25 million through
19 our seaports. So, we had to develop a plan
20 that addressed both the issue of facilitation,
21 getting those people who are low risk through
22 the process as quickly as possible and then
23 identifying those people who are a high risk

1 to us. So, it supports what the Rice-Chertoff
2 Initiative is all about.

3 One of the things that when we
4 heard about Rice-Chertoff Initiative, and we
5 needed to get involved, it was a joint vision.

6 As everyone has mentioned it addresses a
7 number of areas both in the security and the
8 facilitation side. And it requires us to work
9 very closely between the Department of State
10 and the Department of Homeland Security.

11 As mentioned earlier by Tony,
12 there's three parts to it. I'm going to focus
13 in on the part 1 and specifically the Model
14 Ports of Entry.

15 But I think it's important to note
16 that on part 2, the Travel Documents, that Bob
17 Mocny and Frank Moss will be talking about,
18 there's clearly a connection between all of
19 these. We cannot look at one area if we're
20 successful in that area, we can claim success
21 throughout the process. Each one depends on
22 each other and it's important to our efforts.

23 We also need to use smarter

1 screening. We need to use the information
2 that the Government collects, whether it's the
3 Department of State or whether it's the
4 Department of Homeland Security to insure
5 that that information is available for us to
6 make decisions.

7 So, when we were looking at the
8 model ports and the Rice-Chertoff Initiative
9 we wanted to make sure that all three of those
10 areas work together to improve the process.

11 We identified the model ports and
12 they were announced on January 17th and
13 basically we made a decision that we thought
14 that we would go with a small number of
15 locations initially so we can concentrate our
16 efforts on those locations. Obviously,
17 Washington Dulles International Airport is an
18 important location. It's the gateway to the
19 Capital and we felt that it was an important
20 area to start the process.

21 We also decided to go with
22 Houston, George Bush Intercontinental, an
23 extremely new facility that had a lot of

1 opportunities to build on and we thought it
2 would be a good place also to test the model
3 ports.

4 What we did was that we initially,
5 when it was announced, we reached out to the
6 airport authorities. They approved. They
7 said, yes, we want to participate in this and
8 that's the beginning of working together.

9 We recognized that we had to have
10 a number of meetings and during the time frame
11 from January to approximately May, we had a
12 number of meetings both at Dulles and at the
13 Houston Airport. We brought in travel
14 industry, the airlines. The airlines being
15 United, Lufthansa from the Dulles area or
16 Continental and other carriers from the
17 Houston area, the major players in those
18 locations.

19 We couldn't have a model port
20 without actually have the Airport Authority's
21 participating and that was clearly something
22 that was important to us. We also brought in
23 state and local governments, the mayor's

1 office and other state and local officials to
2 participate and to hear what the concerns
3 were, what are some of the opportunities, what
4 were they hearing regarding opportunities to
5 improve the process. And then we felt that
6 there was a need to bring in the industry.

7 There are a number of various
8 organizations that deal with individuals on a
9 daily basis and we felt it was important to
10 ensure that that continued.

11 The next slide would basically be
12 talking about, okay. What have we done in
13 this short time, one year? Well, one of the
14 first things that we did when we had all those
15 meetings, we recognized that we needed to keep
16 an inventory of what was being said. So,
17 during the time frame of January to May we had
18 a number of suggestions and recommendations
19 and CBP took that information and developed
20 what we call a concept paper. It's about 33
21 pages long and it hits the various areas that
22 we heard through the discussion at the model
23 ports. And they talked about improving the

1 sineage, improving the process for individuals
2 when they arrived.

3 But they also indicated during the
4 discussions that you need to improve the
5 process overseas. And that's why the
6 Department of State had a major role in that
7 effort, that we need to make sure that how we
8 issue visas, the information that we give
9 individuals at the time they're at the
10 embassies, is important to the process of
11 moving forward.

12 During the discussions, we had
13 other good ideas from the Airport Authority
14 and what we did is we put a concept document
15 together. The document that we have is a
16 document that we will build on and continue to
17 utilize in the next couple of months to build
18 on how to build a model port.

19 What we also want to do with that
20 document is that when we look at a model port,
21 we're not just looking at those two locations.
22 Are things that we're learning at those
23 locations that we can bring to the airports

1 that are not model ports? And that's an
2 important part of our effort.

3 Let me just jump here to the right
4 -- okay.

5 One of the other areas. You
6 couldn't look at a model port without
7 identifying additional staff. We did that
8 from a CBP's perspective. But I also think
9 what's important is both Dulles and Houston
10 both stepped up and they actually brought
11 additional personnel into the Federal
12 inspection area to help with translations, to
13 help move people around.

14 Once again, it cannot be just a
15 single group making it successful. It has to
16 be everyone working together.

17 Developed improved signage. We
18 have actually been working to improve the
19 signage and in the next couple of weeks we
20 hope to be putting new signage out at both
21 facilities that will help the process and help
22 the traveler know what the requirements as
23 well as how to go through the process a lot

1 quicker.

2 Developing a new informational
3 video. We have been working over the last
4 couple of months. We went out and purchased a
5 number of these 40 inch plasma screens that
6 we're going to be putting in the Federal
7 inspection areas, specifically in the
8 immigration process. We have a draft video
9 that's in the final review, which is about
10 eight minutes long which allows the traveler
11 as they're waiting in the queues to understand
12 what is expected of them through the Customs
13 Border Protection process. That includes what
14 type of forms they should have, what can be
15 expected when they step up to the Immigration
16 Primary, how the U.S. visit process works. We
17 show them a video of where we want them to put
18 their index fingers and we also indicate to
19 them that during that process, they may be
20 referred for other reasons to a secondary
21 area. So, understand that's something that
22 may happen.

23 The informational video then

1 brings them to the baggage carousel area and
2 shows them picking up their bags and
3 indicating to them. Okay. This is your next
4 step, now you need to go through the final
5 parts of the CBP process. And then we show
6 them a little about what can be expected in a
7 secondary area regarding documentation,
8 agricultural requirements or looking for
9 dutiable items or other types of contraband.

10 So, what it does, it gives the
11 individual who is waiting on that line
12 something to look at first of all instead of
13 just sitting in the line, but also the
14 opportunity to see what they should expect in
15 the next couple of minutes as they go through
16 the CBP process.

17 We think that's something that we
18 hope to have out in January at both Dulles and
19 at Houston Airport.

20 I think what's also important is
21 that we're also looking for the carriers to
22 help us out here and get involved in putting
23 the video on the planes. As the person is

1 getting off the plane, if we could get the
2 opportunity to have the carrier show a video
3 for five or ten minutes before the person
4 actually arrives, showing them once again what
5 the process is. So, it familiarizes them with
6 the whole issue of -- I think that's like a
7 timer in there to tell me to keep moving
8 quickly.

9 But we feel it's important and
10 we're going to continue to work on that.

11 Then another area that we felt was
12 important. It's going to be addressed a
13 little bit later on, is the whole issue of
14 redress and we put a new program out there
15 which we call the Primary Lookout Override.
16 And what our goal is here is to identify
17 individuals that continue to get stopped but
18 are not part of the match system, that are not
19 someone that we want to look at. We want to
20 identify them and have them be able to go
21 through the process a lot quicker without
22 being stopped. So, we're working on that.

23 We also think long-term that a

1 trusted travel program for the air environment
2 is extremely important to our efforts to
3 facilitate low-risk travelers, the business
4 travelers on a regular basis and we'll be
5 working on that to move it forward and we want
6 to go to the model ports as the group of
7 airports that will have trusted traveler
8 programs for the first time.

9 And then finally what is important
10 to us is that we need to develop performance
11 measurements and we had our first performance
12 measurement group meeting approximately two
13 weeks ago out at Dulles Airport. We had
14 representatives from Houston there, the
15 Airport Authority, the airlines. We have a
16 follow-up meeting coming up in two weeks, once
17 again, to go over the performance
18 measurements, to take a look at the entire
19 process to see where can we improve? Where
20 are the bottlenecks?

21 We're also working within the
22 department. We just completed a customer
23 survey where we actually interviewed close to

1 900 individuals who came through the various
2 ports of entry, specifically Los Angeles, JFK,
3 Dulles and Houston and getting a reading from
4 them on the process. It was what we think is
5 very important and we'll be working on the
6 next couple of weeks to get that data and
7 actually come up with some results and
8 findings.

9 So, what's the next step? Well,
10 the next steps within CBP, with the
11 Department, as well as the Department of State
12 is to basically continue to move forward with
13 the model port implementation plan. We think
14 it's important for us to continue to work at
15 this. There's a lot of challenges ahead for
16 us, but we think there's opportunities here
17 and we need to work on it.

18 We need to work on how do we
19 improve the process. Are there other
20 opportunities maybe with the paper, customers
21 declaration or the I-94? Are there
22 opportunities that we can test at the model
23 ports to see if the process will work and

1 bring it on into other areas.

2 We also want to continue to work
3 on the metrics and performance measurements.
4 We need to have a good plan to measure the
5 whole process, just not the queuing, how long
6 it takes to sit in the queue. But are there
7 enough people from the airlines out in the
8 area to help with translations to move people?

9 Is the baggage getting there quickly? Is it
10 an easy facility to read signs? So, when you
11 look at the whole process, it's more than just
12 one part. It's working together to address
13 all of those concerns.

14 We need to continue to get our
15 message out, whether it's through the web
16 page, working with connectivity between the
17 Department of State and other departments to
18 ensure that people who are going to be
19 traveling to the United States understand what
20 the process is going to consist of.

21 And then finally what we like to
22 do is roll out to other airports. We think
23 it's important to bring the model port

1 concept, and I believe that's a discussion
2 item for later on. What's the next steps and
3 how do we move forward? But we think this is
4 the beginning. We didn't solve all the
5 problems this year, but we identified a number
6 of areas where we think there's good
7 opportunities working together to try to
8 improve.

9 And, I guess, that's my message
10 closing it out here is that we're only going
11 to be successful if everyone brings something
12 to the table and hopefully we'll hear some
13 good ideas on how we can do that together to
14 make the experience better for the traveler.
15 But also as we said earlier, a secure
16 environment working with everyone to do that
17 too.

18 So, thank you.

19 ASST. SECRETARY MARTINEZ-FONTS:
20 Bob, thank you very much and when we go into
21 the Executive Session, you will have lots of
22 time to discuss and in effect this will be the
23 task that this committee will be faced with.

1 Let me take a moment and introduce
2 Tom Donohue, President of the U.S. Chamber of
3 Commerce who joined us. Tom, thank you very,
4 very much.

5 Moving on, I'd like to ask Frank
6 Moss, who is Deputy Assistant Secretary of
7 State for Passport Services to discuss both E-
8 Passports and the PASSport Card.

9 Frank.

10 MR. MOSS: Thank you very much,
11 Al. And it's a privilege to be here to speak
12 to you about an issue that we tend to not
13 think about which is really what are we doing
14 in terms of State and DHS to ensure that
15 secure borders and open doors also affects
16 Americans as they live and travel abroad.

17 What I'd like to talk with you
18 about today is just provide a status update on
19 where we are on the E-Passport. I'll start
20 with that and then we'll go on to the PASSport
21 Card.

22 In terms of the U.S. electronic
23 passport or E-Passport, we are now in partial

1 production. We have 17 passport production
2 facilities around the country. All of them
3 have at least a partial capacity to issue E-
4 Passports. Five of them are fully converted.

5 Assuming that we're able to meet
6 with our increasing demand and I'll talk about
7 that in just a moment, by March 2nd, we should
8 complete our transition to a totally U.S. E-
9 Passport production system.

10 What I think is important about
11 this is also what we're doing to insure that
12 the E-Passport is not only a quality travel
13 document, but it's backed up with a quality
14 adjudication process and also one that
15 recognizes the legitimate privacy concerns of
16 the international community and American
17 citizens.

18 In terms of privacy, I just want
19 to bring three points up to you. There's been
20 a lot of discussion in the press about these
21 issues. But the U.S. E-Passport is the only
22 one issued around the world that includes
23 anti-skimming materials that is in the front

1 cover, wraps around to the back, to prevent
2 the unauthorized reading of the passport.

3 In addition, we use a technique
4 called Basic Access Control to ensure that the
5 chip is actually locked down until that basic
6 access control area is read. The machine
7 readable zone, an algorithm is applied, a key
8 is calculated and then there is an encrypted
9 communication session.

10 Last, taking advantage of the fact
11 that the chip that we used which is 64 Kb
12 storage capacity also though has 8 Kb of
13 processor capacity. It gives us the ability
14 to attack the issue called Tracking which is a
15 concern that the chip I.D. number can be read
16 around the world and, therefore, you can be
17 identified by where you go based on your chip
18 I.D. number.

19 In fact, in the U.S. passport is
20 taking advantage of the capabilities of the
21 chip, the chip calculates and presents a new
22 I.D. number each time it is interrogated. So,
23 for example, when my passport is read in

1 Frankfurt it has a different I.D. number than
2 when it is read at Dulles Airport.

3 I think it's also important to
4 know that the U.S. E-Passport is totally
5 compliant with international specifications.
6 For those of you who are truly interested in
7 technology, it operates at 13.56 megahertz
8 consistent with ISO standards 14.443(b). I
9 see at least somebody nodding up on the front
10 table. And, in fact, we're using right now a
11 chip made by a manufacturer called Infineon.
12 We will be soon be using one also made by
13 Phillips as well.

14 Bottom line is, we have 9,000
15 places around the United States you can apply
16 for an E-Passport. By March hopefully we will
17 be completely E-Passport compliant. The one
18 might, if I could say in there, is just the
19 issue of surging passport demand which is
20 really at WHTI, Western Hemisphere Travel
21 Initiative plus increasing travel by Americans
22 abroad.

23 When I came to this job four years

1 ago, the State Department was issuing about 7
2 million passports a year. That number went
3 from 7 million to 8.8 to 10.1 to 12.2 million
4 last year. This year we're well on our way to
5 issuing 15 to 16 million passports.

6 The number of Americans, by the
7 way with passport, has gone from about 34
8 million 10 years ago to 71 to 72 million right
9 now and it continues to increase at a dramatic
10 rate.

11 We have seen an increase this
12 year, our fiscal year, October 1 to the
13 current, of 54 percent over the rates of
14 application last year at this time and we
15 expect that trend to increase. The biggest
16 factor is the Western Hemisphere Travel
17 Initiative as people acquire documentation to
18 come into compliance with a recommendation of
19 the 9/11 Commission that was then codified by
20 Congress about three years ago.

21 One of the key elements of helping
22 people come into compliance with WHTI at the
23 land and sea environments, not at the air

1 environment, is the development of what we
2 call a PASSport Card. This will be a wallet-
3 sized document. It will serve as portable
4 proof of identity nationality, meeting the
5 requirements of the law.

6 Right now, here is the status of
7 the PASSport Card. We had a notice of
8 proposed rule-making out to the public on this
9 card. We are just in the process of extending
10 that rule-making period by about three weeks
11 to better facilitate electronic comments on
12 the rule. Quite honestly, we made a mistake
13 on our side. We published a rule after
14 clearing the relevant people and the
15 Department of State, only to find out that
16 something we said in the rule about electronic
17 comments did not prevail at the time we
18 published.

19 We're extending the comment
20 period. We certainly invite people to look at
21 what we're saying and especially the issue of
22 the technology that is embodied in the card.
23 Whereas, the passport using something called

1 proximity re-technology, the PASSport Card
2 will use vicinity read technology to
3 facilitate the use of this document in the
4 travel environment or our land borders. We
5 are soliciting comments on that technology
6 choice.

7 So, the new comment period will
8 end on January 7th.

9 In parallel, the State Department
10 has published to the industry a request for
11 information. We have had an industry day held
12 at McLean, Virginia, in the middle of November
13 to again discuss our proposals with the
14 industry, solicit their comments. We are
15 right now in the process of digesting the
16 comments provided from the industry and
17 developing a request for proposal, which
18 should be out for bid in late January to mid-
19 February in that time frame.

20 We are looking to be in production
21 of the PASSport Card by the summer of 2007.
22 This is key to our plans to implement the land
23 portions of the western hemisphere travel

1 initiative in 2008.

2 Again, a final point I should
3 raise is, the PASSport Card will be
4 adjudicated to the exact same standards as a
5 passport. It will simply be a travel document
6 that can be used in the land border
7 environment as well in the maritime
8 environment. And we've hit our price point.
9 I've testified publicly that our goal has been
10 to have a document that is no more than 50
11 percent of the cost of a standard book style
12 passport like this. In fact, in our rule-
13 making we propose a fee for adults, a total
14 fee of \$45 for a first-time applicant, \$20
15 for renewals and children will be \$35. So,
16 we've hit the price point. We see that as
17 being very important because we do recognize
18 the major implications of WHTI in our land
19 border environments.

20 I'd be happy to take your
21 questions at the break. I have samples of our
22 E-Passports, PASSport Card, things like that
23 and I just want to say again, it's been a

1 privilege to talk with you today and tell you
2 about what the State Department is doing in
3 terms of border security, secure borders, open
4 doors as it affects American citizens as they
5 live and travel around the world.

6 Thank you very much.

7 ASST. SECRETARY MARTINEZ-FONTS:
8 Frank, thank you very much for those comments.

9 I'm very glad you've come out and actually
10 discussed, you know, the cost and everything.

11 For the longest time we told
12 people it would cost half as much as the
13 passport and we would let you know that the
14 passport cost \$100, but it was \$97 actually,
15 but you know, we never gave you the numbers.
16 So, we just wanted to check and see if people
17 were good in math and all that.

18 But I'm very glad that, you know,
19 we've now come up with some numbers and all
20 that. And I think the work that's being done
21 by the Department of State on that has been
22 terrific and it will help quite a bit.

23 For our final presentation of this

1 and I say final because we're hoping that
2 Under Secretary Henrietta Fore from the
3 Department of State and Secretary Chertoff
4 will be joining us in about 20 or 25 minutes.

5 I'm going to ask Bob Mocny to talk
6 about -- Bob Mocny, by the way, is the Acting
7 Director of the U.S. Visit Program. To talk
8 to us a little bit about the entry/exit system
9 with US-VISIT and if the Secretary arrives,
10 Bob, we may cut you off. But hopefully you've
11 got plenty of time.

12 MR. MOCNY: Terrific. Thank you
13 very much, Al.

14 And, again, it is a pleasure to be
15 with you on this body here. I would just sort
16 of begin my talking about what we ought to do
17 is begin with a thank you to many of the
18 people who are in this room. A lot of the
19 success of US-VISIT is due in large part to
20 the ideas generated by people who are sitting
21 on this body.

22 So, I do want to acknowledge your
23 efforts and we will continue to work with you

1 in making sure that we get it right. And make
2 sure that we're working with industry and
3 working with the various stakeholders.

4 I think most of you here
5 understand what US-VISIT is, but very briefly
6 it is the Department of Homeland Security and
7 the Department of State's program where
8 biometrics, in this case, fingerprints and
9 photographs are taken as part of the visa
10 issuing process and that is part of the CBP,
11 Customs Border Protection port of entry
12 process that Bob spoke about.

13 Since we stood up in January of
14 2004, we've processed about 71 million people
15 through the system with no attributable wait
16 time increase to the process. So, we will
17 continue to do that and I'll talk about the
18 upgrade from the two print process to the ten
19 print process in a second.

20 But the operational imperative of
21 making sure that we have a free flow of
22 travelers through our ports of entry must be
23 maintained. And we will continue to push the

1 industry to make sure that we have that.

2 With that 71 million people that
3 we have processed, we've identified about
4 1,600, a little over 1,600 people on the
5 biometrical list. And I state that number for
6 the main purpose of indicating that these are
7 people who would have perhaps gotten through
8 the process because they provided a different
9 name and a different date of birth at the time
10 of entry.

11 It's not to say that we take the
12 human element out and that a Customs Border
13 Protection officer may not have caught that,
14 but they are trying to use a different name
15 and a different date of birth, trying to get
16 through the system. This happens every single
17 day. These are not just one oft events. And
18 so those 1,600 people were either removed from
19 the United States or extradited to a
20 particular state where they were wanted for a
21 particular crime.

22 With those kind of basics about
23 the program, I want to talk about a transition

1 that we're going through right now. Again,
2 this is done in joint partnership with the
3 Department of State. We are moving away from
4 the two index fingerprint process that Bob
5 indicated and will have to change his video
6 here in a little while, because we're now
7 moving to a ten finger scan process. So, that
8 is being done for a couple of reasons and let
9 me just touch on those.

10 The primary reason is for the
11 throughput process I talked about and the
12 inability for the machines to identify two
13 fingerprints. My and your fingerprints may
14 look alike to a machine when you only have two
15 fingerprints itself. You don't have enough
16 data. So, we need to have the ten finger scan
17 to provide more data for the operational
18 systems to be able to make a clear distinction
19 of who those people are. And that means that
20 less people will be sent back to secondary.

21 So, today someone may be
22 misidentified. The system thinks they are a
23 bad guy when they're really not. They have to

1 go into secondary. We do have fingerprint
2 examiners that look at those two fingerprints
3 and very real time, in about a minute or two,
4 they can make that determination that the
5 person in secondary is not, in fact, or is, in
6 fact, the person that we're looking for. With
7 ten prints, we'll be sending a lot less people
8 back into secondary.

9 The other reason, of course, is
10 the latent print issue. By taking just the
11 two index fingerprints, you're missing the
12 other eight. And that's an important element
13 because the most oft left behind fingerprint
14 at the crime scene is the thumb print. And so
15 we want to make sure that we have all the
16 security benefits of moving to a ten print.

17 And the last reason that we're
18 doing so, the world is moving to a ten finger
19 scan process.

20 I think someone will let me know
21 if he walks in, right?

22 The UK is moving to a ten finger
23 scan process for visa issuance. We have an

1 employee from US-VISIT has gone to the UK
2 government to ensure that their system is
3 built compatible with ours. The EU is moving
4 to a ten fingerprint process for anybody
5 needing a visa to go into the EU. And other
6 countries are moving to a biometric border
7 control process. And so the world-wide
8 standard will be ten finger scan for all the
9 reasons I just mentioned.

10 The other area that we're
11 endeavoring. Excuse me, before I leave that
12 topic. This will also allow us to share
13 information with the federal law enforcement
14 agencies. I think you all now that the FBI
15 system is built on a ten-finger scan in their
16 fingerprint process. And we will be much more
17 readily able to share information from the
18 various law enforcement entities. So, that is
19 another reason obviously from a security
20 standpoint.

21 Bob mentioned and Frank mentioned
22 the E-Passports themselves. We're working
23 with CBP. We have now successfully rolled out

1 to 33 airports the new E-Passport readers.
2 The significance of that is that these are a
3 new technology for the CBP officer. They
4 involved a full page scan of the data page and
5 then a reading of the chip itself. Again,
6 this is a new process that the CBP officer is
7 having to learn. They've gone through a
8 training process, but I can tell you as a
9 former inspector, after you've swiped a
10 machine-readable zone so many times, it's
11 difficult to get that process changed down.
12 And so we're going to see the officers working
13 with that over the next several years to make
14 sure that we have that process as part of the
15 introduction video that Bob again talked
16 about.

17 Again, this is going to be a much
18 more secure way of reading information.
19 You're reading information off of the chip,
20 not just off of the data page, which in the
21 past, although much more difficult today,
22 could be manipulated with different
23 technologies and the printing technology that

1 we have today by going into the chip itself
2 and pulling up the passport photo and bringing
3 up the data itself by rapid data on the
4 individual. That's a much more certain way of
5 ensuring that that was a legitimately issued
6 passport.

7 In addition to that, we will be
8 working with the public key infrastructure so
9 that the signature on the passport will,
10 again, the electronic signature on the chip
11 will be another measure of security to insure
12 that that passport was, in fact, issued by the
13 particular government that says so on the
14 cover.

15 The other area that we're moving
16 into, of course, is exit. We have taken a
17 decision within the Department of Homeland
18 Security to move with a biometric exit within
19 the airports. I think you're well aware of
20 the fact that we have 12 airports right now in
21 which we've been piloting with kiosks the
22 ability to have people check out of the
23 country using a finger scan and a photograph

1 process.

2 We now want to leverage what we've
3 learned from there and frankly there were some
4 lessons learned as far as location of the
5 kiosks and the process that they had to go
6 through. We want to make that more in line
7 with the traveler's experience.

8 What often happened was people
9 would go through the check out counter, check
10 out with the airline. They would then go
11 through the TSA. Then they had to go find the
12 kiosk. And in some airports it was buried in
13 some hallway that wasn't used very much
14 because you'd have a lot of retail space now
15 being used in the airport environment. And
16 we're not Starbucks, frankly. And so we had
17 to work with the airports themselves to make
18 sure we found the right space to put these in.

19 We're going to look at that and
20 learn the lesson from there and put the exit
21 process at the location where it is best
22 utilized by the traveler. We're going to
23 start that in fiscal year '07. We owe that to

1 the Congress. It's part of our fiscal year
2 '07 spend plan to make sure that we tell them
3 how we're going to be doing this. And so
4 you'll be seeing that in short order.

5 As with all things within US-
6 VISIT, we do raise privacy to its highest
7 levels. We make sure that people understand
8 why we're doing what we're doing. We will
9 continue to publish privacy impact assessments
10 and apply the Privacy Act, which of course
11 only legally applies to citizens and permanent
12 residents.

13 We will apply that by a policy to
14 the foreign nationals so they will understand
15 who has access to the data, how long we keep
16 the data and perhaps most importantly, the
17 redress process they have. If they believe we
18 have information in our system that is
19 inaccurate or incorrect, they have a process
20 by which they can correct that information and
21 we will continue to maintain that.

22 And I'll close with perhaps where
23 I opened up with a bit and that is we will

1 continue to do outreach. It's all about
2 outreach and it's about informing the public,
3 informing you and informing everybody about
4 what we're doing. We will always be within
5 the US-VISIT program a transparent program to
6 make sure people understand what we're trying
7 to accomplish. If we don't have the public's
8 acceptance, if we don't have the public's
9 awareness of what we're doing, then we won't
10 be successful. We realize that and we'll
11 continue to do outreach and work with the
12 stakeholders, work with the various travel
13 entities and make sure that people are aware
14 of what we're doing so that we can have a
15 smooth transition from two to ten. A smooth
16 transition to the new E-Passport and, again,
17 making sure that people are aware of what they
18 have to do. Because when people are aware of
19 what they have to do, they generally will
20 comply. So, we want to make sure they have
21 the information.

22 With that, thank you. Again, I
23 look forward to working with the committee

1 members here and finding new ways to do things
2 that we do even better.

3 Thank you, Al.

4 ASST. SECRETARY MARTINEZ-FONTS:
5 Bob, thank you very much. And I apologize for
6 having scared you with the Secretary's
7 arrival. I actually skipped over Tony Edson
8 in this process. And I really apologize for
9 that.

10 Let me just mention or focus a
11 little bit on what Bob was saying. I've had
12 the rare opportunity to work with Bob, to work
13 with Jim Williams and work with Ana Henkin.

14 As US-VISIT was rolled out, I had
15 the opportunity of being down in Miami when it
16 was instituted in the air. I was down in
17 Laredo when it was instituted and, you know,
18 there were a lot of naysayers that this was
19 going to be the end of the world. You know,
20 this was going to back up the lines. This was
21 just going to create problems.

22 The outreach that they did is
23 probably -- is going to be one of those text

1 book cases of what a great job they did
2 informing people how it needed to be handled
3 and, in effect, you know, as people went
4 through, they'd come out and you'd say -- and
5 they'd go like wow. That was great. That
6 worked. It was quick. It was fast. And as a
7 matter of fact, the lines were moving, you
8 know, much more quickly and reducing any
9 possibility of, you know, just someone looking
10 at a card, versus having to give their
11 fingerprints and, you know, with a very, very
12 high degree of accuracy. So, I think we can
13 probably all learn a lot from the way US-
14 VISIT has done what they have done.

15 And I appreciate Bob emphasizing
16 that outreach, because I think it's very
17 important.

18 Tony, my apologies. Once again, I
19 was reading off of a couple of charts here and
20 I skipped right over you. But Tony Edson is
21 going to talk to us a little bit about the
22 Consular Process.

23 MR. EDSON: Thank you. I think Al

1 just wants me to be the one that trails off
2 ineloquently when the Secretary walks in.

3 In the Rice-Chertoff Joint Vision
4 announcement, we made a commitment to a number
5 of technology programs, technology
6 improvements in the visa process. The reason
7 I pause is we also made a commitment to some
8 experiments that we weren't sure how it would
9 turn out.

10 We're on track with those things.

11 And see them as a way to potentially change
12 the set of tools we have to apply to the visa
13 process.

14 The biggest and perhaps not the
15 flashiest, but the biggest most significant
16 change on the technology front is moving to a
17 set of web-based services for the provision of
18 nonimmigrant services. We now have rolled out
19 a web-based appointment system. You might
20 have seen them before, depending on which one
21 of our consulates you were dealing with.
22 There were web-based systems developed by our
23 post overseas that were deployed separately.

1 We now have a depart-based global appointment
2 system. It's not deployed globally, but
3 you're going to see it. It's at four
4 locations now, I believe, and we're going to
5 be moving it out over the course of the next
6 year replacing the user pays information
7 systems in many cases that we have out there
8 now for the purposes of getting appointments.

9 We're hope that this will make it
10 easier for people, particularly the business
11 traveler or the student from here who is
12 renewing on a trip back home to make all the
13 arrangements necessary before they get on the
14 airplane to sort things out.

15 It's also part of a package of
16 what we hope will be a single global portal
17 that will be available to applicants going
18 into the visa process. We're moving to an
19 electronic form.

20 We have, beginning November 1,
21 mandatory use of an electronic application
22 that's completed on line and then printed out
23 with a 2D bar code to facilitate our data

1 entry.

2 We're actually moving in the
3 spring. We'll be testing by the end of this
4 month and then moving in the spring to a fully
5 electronic process that will populate our
6 database directly without that immediate paper
7 step. That's no more a convenient arrangement
8 for the applicant in and of itself. But where
9 we believe there's a lot of promise is it
10 means that we'll be getting information about
11 the Applicant one or two weeks in advance of
12 their actual application instead of on the day
13 of the application, 15 minutes before the
14 interview.

15 And hopefully we can thereby do a
16 lot of the screening that needs to be done
17 before the applicant ever comes in. This is
18 dead time for the applicant anyway. They are
19 waiting for their appointment. We can get
20 some of that screening done, hopefully much or
21 most of the screening done and speed up the
22 last steps of the process with the visas are
23 issued for those that qualify.

1 And then the final logical step
2 would be payment of the visa application fees
3 on line through that same thing.

4 Now, this is exactly what Al was
5 hoping would happen and I will eloquently move
6 down.

7 There you go. Okay.

8 So, those were the technology --
9 those were the web-based services that we
10 wanted to provide.

11 We've also done some experiments
12 with things that will change the way that we
13 manage our -- Under Secretary Fore --
14 Assistant Secretary Harty.

15 ASSISTANT SECRETARY HARTY: The
16 eloquent Tony Edson.

17 MR. EDSON: Thank you very much.

18 I have a few poems that I'd like
19 to read now.

20 Now, we've done some experiments.
21 In the Rice-Chertoff Joint Vision
22 announcement there was reference to visa
23 interviews by video conferencing and to

1 paperless visa processes. We have done some
2 experiments in that regard. The technology is
3 not -- how do I say it? It's operationally
4 challenging. It's not technically difficult
5 and we've had some pretty good results in
6 terms of the technology.

7 The burden now on us with those
8 two things with mobile fingerprint collection
9 and a number of other things, is figuring out
10 how that works effectively in the visa
11 process.

12 I think most of you are much more
13 concerned about the amount of time it takes.
14 It can take at some of our facilities to get
15 an appointment for a visa interview than with
16 the travel of the applicant to the post for
17 the visa interview. And one of our deepest
18 concerns is that we not come up with fixes for
19 small parts of the visa applicant pool that
20 increase the amount of time it takes to
21 process visas for the whole applicant pool.

22 In general, and again in the Rice-
23 Chertoff announcement, we were focused on ways

1 that would improve the overall process of visa
2 processing overseas. And it would certainly
3 be my profoundest hope that we would come up
4 with ways that would make it better for
5 everybody across the board.

6 We also recognize, however, that
7 with upwards of 8 million transactions a year
8 at 211 locations, we need to have other ways
9 to prioritize portions of the caseload that
10 are of particular concern to the American
11 traveling public. So, we do prioritize
12 students, for example, offering them priority
13 appointments to make sure that they can get
14 into the United States on time.

15 We have a series of ways --
16 overlapping ways to prioritize business
17 travelers. Our business visa center programs
18 we put in place that all posts now working
19 cooperatively with the U.S. Chamber to ensure
20 that the American business traveler has the
21 opportunity to prioritize urgent travel to the
22 extent possible so we can get people in here
23 on time to do the work that they need to do.

1 Medical cases, we've long had ways
2 to prioritize them. There are communications
3 issues sometimes that result in confusion in
4 using those ways and we're working on
5 improving both our processes on the ground and
6 the way we express those on the web.

7 Tourism. Tourist travel is
8 somewhat harder to prioritize than other
9 groups of travelers, just because it's a large
10 mass of travelers. It's hard to differentiate
11 tourist travelers. How do I say this? All
12 tourist travelers are of interest to the
13 United States. So, it's hard to pull out high
14 priority tourist travelers.

15 We have, nonetheless, through some
16 pilot programs in China, we've done something
17 called Tour Track as a way to prioritize
18 appointments for group tourist travelers that
19 we hope will encourage group travel from China
20 and possibly give us the opportunity to do
21 some other things in other countries as we
22 proceed.

23 ASST. SECRETARY MARTINEZ-FONTS:

1 Tony, thank you very much.

2 And let me, even though they were
3 introduced. Under Secretary Fore and
4 Assistant Secretary Harty, we very much
5 appreciate your joining us.

6 We just had the opportunity to
7 listen to four speakers talk about four or
8 five, in effect, of the subject matters that
9 were included in the Rice-Chertoff Joint
10 Vision and out of 13 of them. And I just
11 thought I would ask if there were any
12 questions from the members of the Advisory
13 Committee, any clarifications? Any questions
14 that we might take for just a moment?

15 Yes? Maria Luisa.

16 MEMBER O'CONNELL: I do and thank
17 you all for this summary and all the programs
18 that are being done.

19 One of the concerns that we see
20 and that I have that I'm going to bring up
21 during the committees, how are you all
22 coordinating amongst yourselves, because we
23 hear different databases and different

1 technologies. And one of my biggest -- our
2 biggest concern is that you all talk to each
3 other, because we have so many programs out
4 there and so many ideas and so many things
5 that are coming out that one of our biggest
6 concerns is that if one person already went to
7 one process to make certain that that person
8 doesn't have to go again through the same
9 process.

10 So, the advance is great in what
11 is being done and then maybe that is the
12 question I have is, are we making certain that
13 the technologies are talking to each other and
14 that we have one database for everybody? That
15 is a concerned question.

16 ASST. SECRETARY MARTINEZ-FONTS:
17 That's an excellent question. And by the way,
18 one of the topics that we had thought of
19 presenting here, we can talk a little bit more
20 about it is just that technology piece of it
21 because we are working. But probably Under
22 Secretary Fore has a lot of very good
23 information. And I can tell you from the

1 Homeland Security side of it, we are working
2 together. And when we talk about redress
3 which we'll talk about a little more later
4 and all that, we are trying to make sure that
5 all of those lists and everything are cleaned
6 up and people are looking at the same list so
7 we don't end up with those kind of
8 duplications.

9 MR. EDSON: I have been impressed.

10 I'm every day impressed by how close the
11 information-sharing actually has become.

12 I've been in the visa business for
13 26 years. And much of that time has been
14 spent tying the past messages between our
15 systems and between our organizations.

16 There are still significant
17 operational differences. And what happens at
18 a port of entry at an individual inspection
19 counter may be hard for me to find out but
20 that's not because of the databases. That's
21 because it's a different -- it's a different
22 world, a long way away. I got to figure out
23 with airport it was and what flight it was

1 before we can get that information.

2 The databases are pretty fully
3 interoperable. US-VISIT and our own corporate
4 database that is the repository for all our
5 visa information are so -- it will be
6 interesting to see what DHS thinks. But I
7 believe at this point they are so
8 interoperable as to be conceptually almost the
9 same. They're different things, but they are
10 so closely tied together that they're almost
11 the same entity.

12 ASST. SECRETARY MARTINEZ-FONTS:

13 Yes, sir?

14 MEMBER REINHARD: Question of
15 clarification for Mr. Jacksta.

16 The survey, the scope of it, does
17 it include just the entry process or the
18 process of applying for a visa in the home
19 country?

20 MR. JACKSTA: The survey was
21 actually done at the ports of entry for people
22 who are arriving at the airports. And there
23 has been no survey from DHS's perspective on

1 what's happening outside that environment
2 right now.

3 MEMBER REINHARD: Does it include
4 the ease or difficulty of getting a baggage
5 cart with foreign currency?

6 MR. JACKSTA: My experience is
7 that's clearly going to come up as one of the
8 issues --

9 MEMBER REINHARD: Okay.

10 MR. JACKSTA: -- that someone will
11 raise because sometimes what we have found is
12 that there are individuals that go through the
13 process very quickly from a Federal
14 perspective, but then get slowed down for
15 other reasons --

16 MEMBER REINHARD: Right.

17 MR. JACKSTA: -- in the process.

18 MEMBER REINHARD: Thank you.

19 MR. JACKSTA: Al, maybe I could
20 just add just from a DHS perspective on the
21 database issue.

22 I think one of the things that has
23 been a success story in my view is the

1 improvement of exchanging information between
2 the departments, specifically DHS and DOS. We
3 worked very closely with US-VISIT as Bob
4 mentioned, as we moved that equipment out
5 there and the capabilities for the information
6 we brought right to our offices.

7 We had to put a lot of work in to
8 get to that point. And we continued to work
9 on it. But we feel very strongly that once
10 the U.S. Government collects information, that
11 there's no need to go and collect it again.
12 And that's what we're trying to do with the
13 interchange of the visa information, the
14 arrival information, the biometric
15 information, as well as the exit portion of
16 it. We need to make sure that if we can, get
17 as many stops along that process out of
18 collecting additional data.

19 So, I can tell you that I think
20 it's been very successful. We're going to
21 continue to work at it and every opportunity
22 we have, we want to bring that information to
23 all the various agencies that have a need to

1 see it or to use it.

2 ASST. SECRETARY MARTINEZ-FONTS:

3 Thank you.

4 Frank, do you have another
5 comment?

6 MR. MOSS: Let me just make
7 another comment. Maria Luisa, it's very good
8 to see you by the way.

9 And that is, you don't necessarily
10 need a mega database to do this. You really
11 need to simply be able to get to the data in
12 other places.

13 For example, we routinely share
14 with our CBP colleagues all data on the 71
15 million people who currently have active
16 passports.

17 The US-VISIT Program that Bob
18 Moczy was talking about really is fed
19 initially by visa data that comes into the
20 State Department with something called our
21 Consolidated Consular Database. And then goes
22 over to DHS to populate their databases at the
23 ports of entry.

1 In practice matters, we have been
2 hooked at the hip with US-VISIT and CBP as we
3 develop both our E-Passport. We have to
4 produce something that is globally
5 interoperable. We also have to make
6 absolutely certain that an American citizen
7 coming back to the country with that passport
8 can have it be read easily by CBP officials at
9 ports of entry.

10 The PASSport Card that I talked
11 about briefly. That's part of a larger
12 architecture called PASS which is really a
13 backbone architecture developed by the two
14 agencies which will govern not just the way
15 that this one document to cross the land
16 borders and use in the maritime environment
17 operates, but also things like our LPR cards,
18 our border crossing cards that you and I are
19 so familiar with.

20 So, I mean, I really thing that it
21 has been a C change. It is not stovepipes.
22 Is it perfect? No. Nothing ever is. But
23 we're certainly much better off in terms of

1 our information sharing.

2 For example, the State Department
3 now, if we have a question about
4 naturalization, if someone who claims to be a
5 naturalized citizen and may not be able to
6 produce their naturalization documents, can we
7 prove it? We actually go back into the CIS
8 databases to find that information.

9 So, yes. Database sharing, what
10 we call data sharing, excuse me, is just a
11 fundamental tenant of everything we do and one
12 in which we're really making great progress.

13 So, thanks.

14 CO-CHAIRPERSON CHEN: Thank you.
15 Maybe I'll add a little comment.

16 From a technology perspective, I'm
17 in complete agreement with you which is there
18 are known techniques out there and it's
19 totally impractical to collect all database to
20 one mega database. It's just, you know,
21 physically not possible.

22 So, I think the back-end data
23 sharing and all the techniques that is known

1 today surrounding. I think I've seen multiple
2 Government agencies uses it a lot.

3 But the issue really I think, if I
4 may add on to it is more at the front end part
5 which was the, you know, the people that
6 facing the customers are still going through
7 the same process as if they don't have the
8 data. But in the back end, you actually have
9 the data. And so I just want to point that
10 out. I think we need to break down the
11 problem not as a technology problem but as a
12 process issue more so than anything else.

13 MEMBER O'CONNELL: If I may, just
14 to complement what you're saying.

15 And it is great that we have
16 information and that there is a lot of
17 coordination and cooperation. We still see it
18 from the practical perspective at the trenches
19 where we are, the challenge that we're still
20 being asked to have that a truck driver to
21 have a fast I.D. and then -- I mean, we're
22 talking different identifications. And then
23 if they are a U.S. citizen, they're going to

1 need a PASSport Card, but these are things
2 that we might be talking and discussing it on
3 how they're going to be implemented.

4 But the other challenge is also
5 the officers at the front line, which is a
6 tough job for them. And I admire them
7 everyday because they have to make decisions
8 in a short period of time. But they still
9 want to fill the paper and look at the person.

10 The technology is there, but there's that
11 human touch and that is -- one of the
12 challenges that we are facing from the user's
13 perspective is, how do we make certain that we
14 do the risk assessment? If you're low risk,
15 let's use the technology. If you're a high
16 risk, then we have more -- I'm getting more
17 and more into the discussion.

18 But that is a concern, Frank, in
19 terms of we have the technology. The
20 databases and I'm not even going to go into
21 there because that's not my area of expertise.

22 But how can we make certain that at the end
23 of the day for us, the users, it is practical

1 and for your enforcers, the people that are in
2 the trenches every day facing -- that is a
3 challenge that we see also on a daily basis.

4 ASST. SECRETARY MARTINEZ-FONTS:

5 And, Luisa if I could add just a
6 comment. I think CBP and TSA and I'm going
7 to take the chance here speaking on behalf of
8 the Department of State whether it's a
9 consular official, there is something that
10 can't ever be replaced with technology that
11 the consular official or the CBP agent or the
12 TSA by looking at, you know, body movements
13 and things and all that. So, it is very
14 important. But we've got to get the back end
15 right. And I think the message here that I'm
16 hearing is that we are getting the back end of
17 it right. We're getting it better and we're
18 helping those officials make the right
19 decisions in a quicker period of time.

20 So, thank you for you comments.

21 I would like to ask Under
22 Secretary Fore if she would like to make some
23 comments to this group. I'm trying to keep us

1 all on time. We hope we've learned --
2 Secretary Chertoff is running a few minutes
3 late, but he should be here momentarily.

4 UNDER SECRETARY FORE: Good. It
5 is my pleasure. Thank you very much. I'm
6 glad to see that the meeting is proceeding so
7 well and that you are really talking about
8 issues of concern.

9 I'm delighted to join you this
10 afternoon as we inaugurate the Secure Borders
11 and Open Doors Advisory Committee.

12 Secretary Rice deeply regrets that
13 she is not here. She was called away by the
14 President for another meeting. But knowing of
15 my abiding interest in this important subject,
16 she has asked me to deliver her remarks.

17 Individually and as a group you
18 possess a wealth of experience, wisdom and new
19 perspective which will guide us to better,
20 smarter solutions to the challenge of
21 balancing border security and travel
22 facilitation priorities.

23 As representatives of business,

1 travel and tourism, academia and health care,
2 as individuals who travel overseas, or have
3 lived and worked overseas and as thoughtful
4 and patriotic American citizens, I know that
5 you share our determination to improve
6 America's welcome to foreign visitors.

7 During the past year, hard working
8 people at the Departments of State and
9 Homeland Security have made significant
10 progress toward realizing many of the goals of
11 the Rice-Chertoff Joint Vision.

12 Let me highlight some of the
13 achievements for you.

14 We have made important changes to
15 the U.S. Passport. All of our passport
16 agencies now have the ability to issue
17 biometrically enhanced passports. And by
18 spring 2007, we will complete the transition
19 and be issuing only biometric passports.

20 We have invested substantial human
21 and technological resources to improve
22 transparency, predictability and efficiency in
23 the visa process. We are working assiduously

1 to reduce the number of days an applicant must
2 wait for a visa appointment. And we post that
3 information on our website. Ninety-seven
4 percent of the qualified applicants receive
5 their visas within one to two days of their
6 interview.

7 Our business visa center provides
8 assistance and guidance to assist business
9 travelers. Each of our consulates and
10 embassies sets aside dedicated appointments
11 for business and student applicants.

12 We now have on-line visa
13 applications which will be further improved in
14 the next few months. We are moving to
15 anywhere, anytime systems.

16 We are working with the American
17 Chamber of Commerce and other business groups
18 to insure that we provide the best possible
19 service to this important constituency.

20 Our public outreach work to
21 encourage foreign students to come to the
22 United States, is already beginning to show
23 concrete results. Over one half million

1 foreign students are studying in the United
2 States now and in fiscal year 2006 we saw an
3 increase of 14 percent over fiscal year 2005.

4 We continue to place great
5 emphasis on our customer service training for
6 every foreign service officer doing visa and
7 passport work.

8 In short, we have put the
9 structures in place to insure that our visa
10 procedures are not overly complicated or
11 cumbersome.

12 On model ports of entry, we are
13 aggressively moving forward on videos and
14 signage. But we need your help to really move
15 forward on this concept.

16 Much remains to be done. Although
17 it pains me to say this, we continue to see
18 news reports and opinion surveys which
19 indicate that many people around the world are
20 reluctant to apply for a U.S. visa or to make
21 plans to travel to the United States. They've
22 heard of our procedures that they are too
23 complicated. And that our welcome is less

1 than warm. These impressions are false but
2 persistent.

3 We need your help to turn these
4 negative perceptions around. We all know the
5 best advertisement for America is America. We
6 welcome foreign visitors, students, tourists,
7 business travelers and others. We are
8 committed to working with you to address and
9 to reverse negative stories about our visa and
10 border procedures.

11 With the help of this advisory
12 panel, I am confident that we can move from
13 strength to strength as we work to strike the
14 right balance between protecting our security
15 and facilitating legitimate travel.

16 Thank you for agreeing to take on
17 this important assignment. We look forward to
18 hearing your thoughts and your suggestions.

19 Thank you.

20 CHAIRPERSON COHON: Thank you very
21 much, Madam Under Secretary. We appreciate
22 you coming here today and delivering those
23 remarks. And they are a good reminder of the

1 challenge we face, also opportunity to improve
2 matters even further.

3 I think it's fair to say that --
4 I'm guessing. I'm speaking for the members
5 here.

6 I'm impressed by what has been
7 achieved in the several months since the
8 Vision was announced and the challenge put
9 down. It seems that the two departments have
10 responded well. But clearly there's much more
11 to be done.

12 One of the things that I'm going
13 to make sure we talk about further when we
14 move into our private meeting is the question
15 of what it is we're trying to achieve. Not
16 just as a committee. I mean, what it is as a
17 nation, as two departments, that we're trying
18 to achieve.

19 There's openness and there's
20 security and that leaves the question of
21 metrics and how we measure how we're doing.
22 And there's at least one mention of metrics in
23 the documents we've seen. And we need to talk

1 more about that, I think.

2 The Under Secretary actually
3 offered one and I'm glad to hear that and it's
4 a very nice crisp one. The number of days of
5 delay waiting for an appointment for an
6 interview and you post that. That's a very
7 good thing. And it's good to have a concrete
8 measure like that and to communicate that way
9 to your customers.

10 I think that the openness side of
11 this lends itself to metrics of that sort.
12 But there's the security side of it too, and
13 your point about risk assessment is a very
14 good one. And it's much harder to come by.
15 That is, the relative priority on a security
16 side when one is looking at a border. But we
17 can't avoid that either.

18 These are big topics that if
19 someone measures how we're doing, but I think
20 that's something that we as a committee can
21 contribute by working with the departments in
22 helping them to think through what they might
23 measure and how they might go about doing

1 that.

2 Thoughts? Comments? Questions
3 from the Under Secretary? The mike is always
4 yours, Madam Under Secretary, whenever you
5 want to talk. I didn't mean to cut you off.

6 UNDER SECRETARY FORE: No. I'm
7 interested. I'm very interested in your
8 thoughts and ideas, ways that we can improve
9 our services to all of you.

10 It is our hope that you will come
11 forward with concrete suggestions for all of
12 us because we are always looking for ways to
13 improve.

14 CHAIRPERSON COHON: Thank you.

15 UNDER SECRETARY FORE: We do think
16 we have made significant progress.

17 CHAIRPERSON COHON: Yes.

18 UNDER SECRETARY FORE: So, it's
19 good to also hear that.

20 CHAIRPERSON COHON: And you're to
21 be congratulated for the way you've opened
22 yourselves up here for advice and ways to
23 improve. We commend you for that and thank

1 you.

2 Governor Engler.

3 MEMBER ENGLER: I think, Mr.
4 Chair, you made an important point that it's
5 good to make. In the public session we'll
6 talk more about later, but in terms of where
7 do we go from here? Because the documents
8 really paint a pretty good picture. It's five
9 years of activity. I mean, so I think that
10 the pace has picked up considerably here in
11 the fifth year. And I think some things are
12 coming together that, you know, there was a
13 lot of starts and stops maybe.

14 But with the team that's in place.

15 If we look at things in terms of the cycle of
16 Washington, in two more years what can get
17 done. It's going to be important not to leave
18 -- to leave the minimum of things 95 percent
19 completed. Those need to be completed.

20 If something can only be half done
21 and it's to be left, you know, for another
22 administration, there has to be, I think, some
23 discernment as to which can we get done,

1 completed and say here it is, so that the
2 focus is on what's the issue and how that's
3 framed up beyond. And I think that's kind of
4 an interesting conversation. Because it gets
5 interrupted in the early part of -- end of
6 2008, early 2009, with personalities and the
7 people. There will be changes as there always
8 are, but they will be profound then.

9 And so I think your question is a
10 really excellent starting point for some of
11 this discussion today.

12 CHAIRPERSON COHON: Talk more
13 about it.

14 Madam Under Secretary, while we
15 still have you, a particular question I have
16 for you.

17 So much of what we talk about here
18 depends on cooperation with other nations and
19 some kind of tuning of the various passport
20 and visa systems.

21 How is that going? Or how is it
22 being done and how is that going?

23 Would you like to comment on that?

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Thank you.

UNDER SECRETARY FORE: Let me ask Assistant Secretary Maura Harty, who has been involved with many of these negotiations if she might be able to add a few examples.

ASSISTANT SECRETARY HARTY: I'm happy to do that and really delighted to be here today. And so appreciative of all of the work that the committee members have done and the interest in everybody coming today displays in being here.

With respect to international cooperation, I think we really start with looking at the visa waiver countries. And the real push that we have seen together working with them bilaterally as well as working through organizations like ICAO to identify standards for travel documents and to lead the way too globally.

I can see already many, many instances where it isn't just with visa waiver countries looking into the biometrically enabled travel documents. I happened to be in

1 Dakur, Senegal, for example, about a month ago
2 and in the Office of the Interior Minister was
3 shown their new system. An entry/exit system,
4 believe it or not, fingerprint enabled. And
5 that was just a display and it wasn't in
6 actual use anywhere just yet. Neither had he
7 shown it to his president yet. So, if the
8 media is here, skip this part because he needs
9 to do that with his president first.

10 But the idea was, in all candor,
11 around the world people are beginning to
12 understand that the systems that we have
13 pioneered through ICAO with the visa waiver
14 countries, with several other cooperating
15 nations, people understand that when you
16 inform a travel document, a process for
17 getting a travel document with absolute
18 integrity, you make the system safer for all
19 travelers. And so I think that without trying
20 to sound too much like we're patting ourselves
21 on the back, and with absolutely giving credit
22 to other governments and ICAO, we have set up
23 something from which there really isn't any

1 turning back.

2 We are invested in more security
3 in the system that also will bring more
4 efficiency to systems as I might, just bet.
5 Frank has talked about already with respect to
6 the Western Hemisphere Travel Initiative.

7 There is tremendous goodwill
8 around the world to do things. When I had the
9 privilege of starting in this job four years
10 ago, we didn't see nearly as much of it as we
11 do now. I agree with Governor Engler that the
12 up tempo for the changes that we've seen is
13 just -- it's going to continue to be as best
14 as it is. And one of the challenges we will
15 face is how we continue to be agile enough to
16 harness the good ideas and the technology as
17 it continues to improve.

18 CHAIRPERSON COHON: Thank you.
19 That's encouraging.

20 And is the primary coordination at
21 your level or is it at the sort of a technical
22 level?

23 ASSISTANT SECRETARY HARTY: I

1 would say it is actually across a variety of
2 levels. We have technical people speaking all
3 the time. We have the Assistant Secretary
4 level, Deputy Assistant Secretary level, Under
5 Secretaries. Certainly, the fact that
6 Secretary Rice wanted to come today and
7 Secretary Chertoff is on his way, shows that
8 it is one team with one message across a
9 variety of levels.

10 CHAIRPERSON COHON: Thank you.

11 Yes?

12 MEMBER DOW: First of all from a
13 positive side, I applaud some of the great
14 advances you've made in China, in Korea. Most
15 recently looking at India. Made some
16 tremendous changes.

17 The question is the India
18 situation sustainable or is it a quick fix and
19 how do we get those kind of things in Mexico
20 and Brazil?

21 ASSISTANT SECRETARY HARTY: If I
22 might answer that just very quickly since
23 Secretary Chertoff is now here.

1 The quick fix in India was because
2 it was untenable. It was just too long and we
3 needed to identify some -- we needed to first
4 fix the problem and in fixing that problem,
5 begin to identify ways forward.

6 We have some plans for Mexico and
7 also for Brazil and we will be rolling those
8 out. But India is really a laboratory for us
9 and we will look at best practices out of what
10 we've done there, what we've learned and what
11 we continue to learn.

12 CHAIRPERSON COHON: Thank you. Go
13 ahead.

14 UNDER SECRETARY FORE: I think
15 Assistant Secretary Harty also has some best
16 practices in China that are also being
17 modeled.

18 CHAIRPERSON COHON: Good. Thank
19 you.

20 When someone joins you who needs
21 no introduction, you don't introduce them.

22 Secretary Michael Chertoff, the
23 microphone is yours. Thanks for joining us.

1 SECRETARY CHERTOFF: Thank you.

2 I apologize for being a little
3 late. But as you can imagine, there are
4 unanticipated things that arise and play havoc
5 with your schedule.

6 But I want to thank you, first of
7 all, for agreeing to serve on this committee
8 and I want you to know that we value your time
9 and your incite. I want to particularly thank
10 Dr. Cohon and John Chen for agreeing to lead
11 the committee.

12 And you should understand that
13 this reflects a very strong commitment by both
14 Secretary Rice and myself to making important
15 progress in promoting travel and tourism and
16 trade between the United States and the rest
17 of the world.

18 I think we have made some good
19 progress on a number of projects and I know
20 you've gotten a general update. I know the
21 staffs of both State and DHS have worked very
22 hard on this. And I particularly want to
23 thank Al Martinez-Fonts from the Department of

1 Homeland Security, Deputy Assistant Secretary
2 Tony Edson for their leadership in this
3 regard.

4 I also know that there's a lot of
5 work that remains. And there's also always a
6 gap between reality and perception. As we
7 make real changes that make things better, it
8 seems to take awhile before things actually
9 get perceived in the press and in the public.

10 So, we need to make sure we are making people
11 aware of the steps that we are taking going
12 forward.

13 I still believe that this is about
14 balance. Balancing security and facilitation
15 of travel and freedom and liberty. And it's a
16 balance. It means we don't go all the way in
17 one direction or all the way in the other.
18 And I think that's been the mandate of both
19 Secretaries to the people working in the
20 departments on these various issues.

21 Let me give you a little bit of a
22 focus on a few specific items, particularly
23 things that I think that are comparatively

1 recent developments.

2 One of the keys to balancing
3 ultimately is smarter screening. We have a
4 lot of different screening tools and programs
5 that are out there. And the better we
6 integrate them and have a common architecture
7 so that we don't have to have different
8 overlapping systems that are incompatible, the
9 more convenient it is and the more efficient
10 and the more secure it is.

11 Like with any other migration of
12 investment, at some point you have to bite the
13 bullet and actually make the investment. So,
14 there's always a little bit of short-term pain
15 but in the end you're better off doing that.

16 And in order to make sure we are
17 moving in a disciplined way in that direction,
18 I've appointed Kathy Kraninger as the
19 department's first Director of the Screening
20 Coordination office.

21 Her job is going to be to
22 integrate and unify the screening programs
23 both architecturally, conceptually and also

1 very important to make some real progress on
2 one-stop redress, which I think is always a
3 troubling irritant for travelers. And I
4 certainly hear about it from all kinds of
5 people, including some of my colleagues when
6 they have a relative who gets stopped.

7 I might add, by the way, that in
8 the days that I was -- prior to my having this
9 job, when I was a Federal Judge, I got stopped
10 and put into secondary. And so, you know, I
11 know for a fact that nobody is free of this
12 kind of hassle and part of it is the price we
13 pay so that we know we are safe when we fly or
14 when we cross our borders.

15 Secondly, knowing in January, the
16 new passport requirement is going to go into
17 effect for western hemisphere travelers.

18 A lot of important work is taking
19 place to make sure the message gets out. I'm
20 gong to tell you something I am totally
21 convinced about.

22 As with any other things where you
23 have to migrate to a new system, and again

1 where there's that need to kind of make that
2 short-term investment, the best thing you can
3 do for the public is to set a deadline and
4 stick to it. If there's ambiguity, if there's
5 a belief that it's not real and, therefore,
6 people don't get serious about it, in the end
7 what you have is failure.

8 So, we have been disciplined about
9 the deadline for the air rule. I'm very
10 pleased to say that one of the things I've
11 noticed as I've opened up my newspaper is I
12 start to notice ads either by countries or by
13 hotels telling people you got to get
14 passports.

15 I think one travel company or one
16 hotel company offered a discount to offset the
17 amount of -- I think that's exactly what
18 should happen. I have total faith that the
19 marketplace, which can deploy new versions of
20 iPods and cell phones with incredible
21 efficiency, can drive this kind of change, if
22 we give you two tools. Clarity about the
23 deadline and the requirement and an investment

1 in the public massaging to make sure that we
2 are being consistent and clear.

3 We've done some baseline studying
4 and we estimate that 69 percent of U.S.
5 travelers to Canada, 58 percent of U.S.
6 travelers to Mexico and 75 percent of U.S.
7 travelers to the Caribbean, already have
8 passports.

9 A recent study in September found
10 that 90 percent of passengers leaving from
11 Canadian airports already had passports.

12 Now, I do want to say that we are
13 looking ultimately in the land border element
14 of WHTI to having an alternative to the
15 passport, which the State Department has put
16 out which will be cheaper, convenient to carry
17 in a wallet-sized card. And we're working
18 very hard with our neighbors to the north to
19 try to come up with ways to make this as
20 efficient and as easy as possible.

21 So, I think, you know, we want to
22 make it as convenient as we can but I think in
23 the end that we need to have this. And I

1 could raise the hair on your head if I told
2 you stories about times that we've caught
3 people coming with phoney identification. And
4 we put our border inspectors under a lot of
5 pressure by requiring them to recognize 8,000
6 different kinds of identification. And so we
7 need to make their lives a little bit easier
8 too.

9 A third thing I'd like to mention
10 is, of course, call to your attention if you
11 haven't seen it already, is the President's
12 recent remarks in Estonia about expanding and
13 improving the Visa Waiver Program.

14 This is a Congressional issue,
15 because it's a statute. So, it's not
16 something we can do unilaterally.

17 And our approach has been to do
18 two things. It's to raise the baseline
19 security by finding ways to work with the visa
20 waiver countries to get a little bit more
21 information in order to make sure we can do
22 some vetting up front in advance. And in
23 return for that, introduce a little bit of

1 flexibility in the three percent requirement
2 that has been a stumbling block, I think, for
3 a number of countries, particularly in Eastern
4 Europe that would otherwise be eligible for
5 the Visa Waiver Program.

6 So, I think what we're doing is
7 we're looking to trade off blunt instruments
8 in favor of more precise and security tailored
9 instruments.

10 I don't want to underestimate the
11 challenges you should know and I'm sure you do
12 know, that there is real debate in Congress
13 about the Visa Waiver Program. There are
14 people who are passionately of the belief that
15 the whole program should be scraped, that we
16 shouldn't have visa waivers. Everybody should
17 have a visa.

18 And, you know, there's a reason
19 for that. Because the visa process does
20 introduce another element of security.

21 Others, I think, feel that our
22 allies overseas ought to be rewarded by having
23 visa waiver applied and that some of the

1 country who already have visa waiver are
2 countries where we have seen historically
3 there are certainly terrorism threats of a
4 home-grown variety. So, this is going to be a
5 challenging issue we look forward to working
6 with Congress on it.

7 Finally, I'd like to say we've
8 made good progress on the model ports of
9 entry. The Government and the private sector
10 have identified staff to facilitate
11 processing. I think we've improved signage
12 and there's an information video and some
13 other improvements.

14 I think it's important to measure
15 progress in this regard and a performance
16 measurement group has been established to
17 identify the appropriate metrics to assess how
18 model port is doing.

19 So, I want to thank you for your
20 time and service. I hope we can have your
21 initial set of recommendations in a few
22 months.

23 And now I'm going to turn it over

1 to Henrietta to -- oh, she's talked already.
2 All right.

3 So, someone else take it away.

4 CO-CHAIRPERSON CHEN: I'll take it
5 away.

6 Thank you, Mr. Secretary and thank
7 you Under Secretary Fore for your great
8 comments and we're delighted to be here.

9 Now, before I adjourn the formal
10 part of the meeting, do we have any time for
11 questions of either the Secretary and Under
12 Secretary? Do we have any time at all?

13 ASST. SECRETARY MARTINEZ-FONTS:
14 Are there any questions by any of the members
15 of the Committee who would like to address?
16 We have a couple.

17 CO-CHAIRPERSON CHEN: Tom.

18 MR. DONOHUE: Mr. Secretary, I
19 don't expect much of an answer for this, but
20 I'm just going to give you a little bit of a
21 heads up from my previous life.

22 I know particularly on the West
23 Coast we're talking about requiring drayage

1 drivers in the ports to produce either proof
2 of citizenship or a quickly verifiable green
3 card.

4 I no longer run the American
5 Trucking Association so I can't give you
6 numbers you can count on. But we all know
7 about the extraordinary shortage of truck
8 drivers. And I would suggest that the most
9 difficult of those truck drivers to get are
10 drayage drivers. And we might be thinking
11 about some other options of how to run those
12 ports when we get to that issue. Because I
13 think you could get a number that's way, way
14 more than half of the people that won't be
15 able to qualify.

16 And as you know, if you shut the
17 port down for one day, it will take you three
18 months to straighten it out. So, we'd be very
19 happy to work with you and help you.

20 There's absolutely no criticism
21 intended in that. It's just a dose of reality
22 of what we're dealing with in the massive
23 shortage of workers in certain categories in

1 this country. And we'd be glad to help. And
2 Michael knows a lot about that as well, but
3 it's gotten a lot worse in recent years. Or a
4 lot more challenging.

5 SECRETARY CHERTOFF: I appreciate
6 that.

7 MR. DONOHUE: And I just took this
8 step to mention that because I was going to
9 call you anyway, but so thank you very much.

10 CO-CHAIRPERSON CHEN: Okay.
11 Anybody else?

12 Luisa.

13 MEMBER O'CONNELL: Secretary,
14 thank you for being here.

15 One of the challenges that we also
16 see is all the programs that are coming out
17 and then the technology and the investment and
18 not at the same level the staff growing at the
19 front line for your CBP officers, for others.

20 How can we address that and how --
21 is that a challenge that you have seen as the
22 Secretary in terms of the training and
23 training new people. And also it applies on

1 the visa offices, because we have the
2 technology, but we see the long lines still
3 because not all the booths can be open or not
4 all the windows at the embassy or the
5 counselor offices can be open. So, that is a
6 challenge that I would like to know your
7 thoughts about it.

8 SECRETARY CHERTOFF: Well, of
9 course, we have an obligation to try to manage
10 our personnel resources and timing in a way
11 that gets the maximum efficiency. So, you
12 know, making sure that we don't have booths
13 that unattended during high flow travel times.

14 You know, we hope and we expect that our
15 managers at the various ports of entry are
16 managing the schedule of inspectors to
17 maximize input.

18 Of course, at the end of the day,
19 I mean, all these issues, you know, the
20 department as the entire Government, has many
21 competing obligations. And, you know, we have
22 to put more border patrol on the border
23 between the ports of entry. We have to put

1 more inspectors in the ports of entry. So, we
2 try to balance in terms of, you know, what is
3 ultimately a finite set of resources in a way
4 that gives us the maximum efficiency.

5 I do think that one of the keys
6 here is technology. And to the extent we can
7 leverage that, we can get further with the
8 people that we do have, but we do work very
9 hard.

10 CO-CHAIRPERSON CHEN: Okay.
11 Unfortunately, we have a very limited time.

12 Before I officially end the
13 session, let me tell you an interesting story
14 for myself.

15 As you could see, my name is
16 extremely common. It's probably more common
17 than Bob Smith. And so, unfortunately, one of
18 the people that the Government interested in
19 on no-fly lists happens to share the same name
20 with me.

21 And so for the longest time I've
22 been stopped and whether it's secondary or
23 whatever, I at one time check in my bags at

1 the porter outside. And they quickly run
2 after me, return the bags to me because I had
3 to get back in line with the airline.

4 But, anyway, and so I've gone
5 through the TSA programs and they gave me
6 these letter so I was very proud and felt good
7 about it and then I was hoping that I could
8 get a chance to use the letter.

9 But then for the last year and a
10 half, after I got that letter, nobody ever
11 stopped me again. So, it must work somehow.

12 Anyway, with that, I want to thank
13 the public for coming. And I would like to
14 invite the committee member to a closed
15 session.

16 Thank you all very much.

17 Thank you to both Secretaries.

18 (Whereupon, the above matter was
19 concluded at 2:53 p.m)
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