AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. HRG. 109–568

UNITED STATES ENTRY/EXIT TRACKING

HEARING

BEFORE A

SUBCOMMITTEE OF THE

COMMITTEE ON APPROPRIATIONS

UNITED STATES SENATE

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

SPECIAL HEARING

JANUARY 25, 2006—WASHINGTON, DC

Printed for the use of the Committee on Appropriations

Available via the World Wide Web: http://www.gpoaccess.gov/congress/index.html

U.S. GOVERNMENT PRINTING OFFICE

26–743 PDF WASHINGTON : 2006

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2250 Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON APPROPRIATIONS

THAD COCHRAN, Mississippi, *Chairman*

TED STEVENS, Alaska
ARLEN SPECTER, Pennsylvania
PETE V. DOMENICI, New Mexico
CHRISTOPHER S. BOND, Missouri
MITCH McCONNELL, Kentucky
CONRAD BURNS, Montana
RICHARD C. SHELBY, Alabama
JUDD GREGG, New Hampshire
ROBERT F. BENNETT, Utah
LARRY CRAIG, Idaho
KAY BAILEY HUTCHISON, Texas
MIKE DEWINE, Ohio
SAM BROWNBACK, Kansas
WAYNE ALLARD, Colorado

ROBERT C. BYRD, West Virginia
DANIEL K. INOUYE, Hawaii
PATRICK J. LEAHY, Vermont
TOM HARKIN, Iowa
BARBARA A. MIKULSKI, Maryland
HARRY REID, Nevada
HERB KOHL, Wisconsin
PATTY MURRAY, Washington
BYRON L. DORGAN, North Dakota
DIANNE FEINSTEIN, California
RICHARD J. DURBIN, Illinois
TIM JOHNSON, South Dakota
MARY L. LANDRIEU, Louisiana

J. KEITH KENNEDY, *Staff Director*
TERRENCE E. SAUVAIN, *Minority Staff Director*

SUBCOMMITTEE ON HOMELAND SECURITY

JUDD GREGG, New Hampshire, *Chairman*

THAD COCHRAN, Mississippi
TED STEVENS, Alaska
ARLEN SPECTER, Pennsylvania
PETE V. DOMENICI, New Mexico
RICHARD C. SHELBY, Alabama
LARRY CRAIG, Idaho
ROBERT F. BENNETT, Utah
WAYNE ALLARD, Colorado

ROBERT C. BYRD, West Virginia
DANIEL K. INOUYE, Hawaii
PATRICK J. LEAHY, Vermont
BARBARA A. MIKULSKI, Maryland
HERB KOHL, Wisconsin
PATTY MURRAY, Washington
HARRY REID, Nevada
DIANNE FEINSTEIN, California

Professional Staff
REBECCA DAVIES
CAROL CRIBBS
SHANNON O'KEEFE
NANCY PERKINS
MARK VAN DE WATER
CHARLES KIEFFER *(Minority)*
CHIP WALGREN *(Minority)*
SCOTT NANCE *(Minority)*
DRENAN E. DUDLEY *(Minority)*

Administrative Support
CHRISTA CRAWFORD

CONTENTS

	Page
US VISIT's Continuing Efforts	8
Statement of Randolph C. Hite, Director, Information Technology Architecture and Systems Issues, Government Accountability Office	11
Status of Implementing GAO Recommendations	12
Prepared Statement of Randolph C. Hite	13
Results in Brief	14
Background	15
Acquisition and Implementation Strategy	15
US VISIT is Being Implemented in Four Increments	16
US VISIT Capability is Operating at Ports of Entry	17
DHS has yet to Demonstrate that US VISIT as Defined is the Right Solution	18
Operational and Technological Context are Still Being Defined	18
Return on Investment has yet to be Determined	19
Analysis of Program Impacts and Options is Being Performed	21
DHS is Still Establishing Needed Program Management Capabilities	22
DHS has yet to Fully Establish Program Accountability Mechanisms	25
US VISIT Strategic Plan	27
Government-wide Interoperability	27
Biometric Watchlist	28
Exit Capability at Land Ports of Entry	29
2006 Funding Level	30
2007 Funding Level	31
Exit Capability at Air and Seaports of Entry	32
Statement of Senator Patty Murray	32
Western Hemisphere Travel Initiative	33
Land Border Crossing Initiatives	34
Land Border Crossing Requirements	35
Land Border Crossing Challenges	35
Statement of Senator Ted Stevens	36
Common set of Required Border Crossing Documentation	36
Harmonized Secure Border Documentation—Pass Card	37
Impact of Border Crossing Security on Alaskans	38
Southern Border Security Requirements	40
Border Security Comparison—Washington State vs. Mexico	40
Harmonization of Proprietary Database Systems	41
Departmental Focus Needed to Guide US VISIT	43
Revised Cost and Schedule Estimate Report of Real Time Interoperability	43
Interoperability Funding	45
Congressional Funding Limitations	46
Exit Strategy Limitations	46
Additional Committee Questions	48
Questions Submitted to James A. Williams	48
Questions Submitted by Senator Judd Gregg	48
Return on Investment	48
Air Exit Tracking	49
Land Entry/Exit Tracking Pilots	50
Information Technology Platform	51
Automated Biometric Identification System (IDENT)/Integrated Automated Fingerprint Identification System (IAFIS) Interoperability	52
Border Crossing Card/Laser Visa Readers	52
Office of Inspector General Report: US VISIT System Security Management Needs Strengthening	53
Limitations of US VISIT	53
Question Submitted by Senator Thad Cochran	54

Page
US VISIT: Biometric Technology Model 54
Questions Submitted by Senator Richard C. Shelby 54
Entry/Exit Border Technology 54
Questions Submitted by Senator Robert C. Byrd 57
Fiscal Year 2006 Spend Plan 57
Ten Fingerprint 57
DHS–FBI Interaction 58
Immigration Statistics 58
Biometric Performance 59
Database Interoperability Milestones 60
Questions Submitted by Senator Patrick J. Leahy 61
Immigration and Customs Enforcement Law Enforcement Support Center 61
Western Hemisphere Travel Initiative 61
Questions Submitted to Randolph C. Hite 62
Questions Submitted by Senator Judd Gregg 62

UNITED STATES ENTRY/EXIT TRACKING

WEDNESDAY, JANUARY 25, 2006

U.S. SENATE,
SUBCOMMITTEE ON HOMELAND SECURITY,
COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The subcommittee met at 10:01 a.m., in room SD–138, Dirksen Senate Office Building, Hon. Judd Gregg (chairman) presiding.

Present: Senators Gregg, Stevens, Byrd, and Murray.

OPENING STATEMENT OF SENATOR JUDD GREGG

Senator GREGG. We will begin the hearing of the Homeland Security Subcommittee of the Appropriations Committee. I appreciate Senator Byrd joining us today, as he always does, and it is a pleasure to have our witnesses today.

US VISIT OVERVIEW

The purpose of this hearing is to review the status of the US VISIT program. For those who are not up to speed on what US VISIT is, basically the effort to try to protect this country comes down to a lot of different parts, but the most fundamental part is the capacity to gather intelligence about the people who are threats. Knowing who is going to attack us before they attack us, is absolutely critical to our capacity to defend ourselves.

An essential element of that is that when we determine that information, when we gain information as to who the threat is or what the threat is, getting that information disseminated to the people who are on the front lines for the purposes of protecting us as a Nation and making sure that people who come into our country come here to participate in our great Nation's many benefits rather than to harm us is a critical effort; the integration of the information with the front-line individual who has the capacity to review the individuals coming into this country.

US VISIT is essentially the backbone of this effort, in that this is the computer structure, the software structure, the concept structure, which will hopefully, when it works fully, integrate all the different information vehicles which we have out there. All the intelligence that we are gathering, and all the background that we have, and make that information from all the various agencies that are involved here—and we are talking about a large number of major agencies—make that information available on a real-time basis to the gatekeeper, the Border Patrol agent, and the Customs and Border Protection officer, so that they can evaluate an indi-

vidual who is in front of them, who is seeking entry into this country, and know whether that individual means us harm.

It is a huge undertaking. Just getting these various agencies integrated is a huge undertaking from a standpoint of having their various systems communicate with each other. But actually getting real-time information, that is hard information, that is person-centered, is a true challenge.

I congratulate the Department for the strides it has made in this area. Basically, we want to hear today about the positive steps, but we are also really interested in is what we still have to do. We know that there are still issues out there, especially in the exit area, and we also know that there are issues relative to integration, especially between the huge database of fingerprints which the FBI has and the capacity of that database to be accessed completely as versus selectively.

Additionally, there is the fundamental issue of the communication between different agencies and whether it is flowing effectively, and the issue of air entry and land entry and the fact that we are making progress in air entry, but how are we doing on land entry.

So there are a lot of issues still out there. This truly is the backbone, US VISIT, the backbone of our capacity to determine who is coming into the country and whether they are going to cause us harm if they are coming in legally. It is a critical piece of infrastructure that we want to stay on top of as a Congress, and be sure we are aware of what the potential is and where we can be helpful in supporting the Department as it tries to get this system up and running.

So that is the purpose of this hearing. The fact that this is the first hearing that this subcommittee has held in this session reflects, I think, the high level of interest and priority that we place on the success of US VISIT, because we recognize that without this program working effectively we simply are not going to be able to protect our borders.

Senator Byrd.

STATEMENT OF SENATOR ROBERT C. BYRD

Senator BYRD. Mr. Chairman, thank you.

Is this microphone on?

We have made great progress in putting a man on the moon and bringing him home again. Yet, thus far we have not developed a good PA system in this country. We also have not developed a system whereby we can know where men are underground. We are not using the available technology, as we should, so that we know where a coal miner is and be able to communicate with him in the mine. It is a sad situation. Forgive me for bringing that in.

Senator GREGG. No, that is understandable, Senator, considering what you have been through and your State.

Senator BYRD. Let me say to the people who are viewing this panel, you have just seen a demonstration of how a chairman ought to open a meeting, how he ought to know what he is talking about, and how he can convey and communicate his thoughts to the audience. I congratulate him. I am very proud of this chairman. I wish

he were on my side of the aisle, but he is not. But that aside, I have a tremendous respect for this chairman.

Senator GREGG. Thank you.

Senator BYRD. I tell you, I have been around here 48 years in this body and 6 years in the other body before I came here, and 6 years in the State legislature, both houses, before that, and I have not seen a chairman who is better than this one and very few who are as good. I am proud of him. I do not care if he is on the other side of the aisle. He is a friend of mine and he is a colleague of mine. I am proud of him. I am proud to say I am on his committee. If you have to have a Republican, I have got one of the best here, one of the best.

Senator GREGG. That is very generous of you.

Senator BYRD. We do not draw a line between Republicans and Democrats here, but I thought that ought to be said.

I thank you, Mr. Chairman, for your support last spring of my border security amendment. I was pleased that the Senate acted in a bipartisan manner to begin providing the resources we need to secure our borders. With your leadership, Mr. Chairman—let me repeat that. With your leadership, Mr. Chairman, we continued that effort in the fiscal year 2006 Homeland Security Appropriations Act, and I commend you, Mr. Chairman, wholeheartedly for your effort last month to secure an additional $1.1 billion for border security, and I challenge the White House—let me say that again—I challenge—do you hear me out there?—I challenge the House leadership and the White House—hear me again—to embrace this effort.

By convening this hearing today, Mr. Chairman, you are keeping the Senate focused on border security. The US VISIT program is an integral part of our border security effort. Given the fact that the Congress has invested over $1.3 billion in this program, I congratulate our chairman for providing appropriate oversight.

The US VISIT program is supposed to provide us with accurate information about which individuals are legally entering the country and about when they depart. I am pleased that the Department, under Secretary Chertoff's leadership, announced on July 13, 2005, its intention to move from using two fingerprints when enrolling individuals into the US VISIT system to capturing all ten finger and thumbprints. This is a major step, a major step toward full interoperability with the FBI fingerprint system.

Former subcommittee Chairman Cochran and I urged former Secretary Ridge to take this step when we first met with him in the Capitol almost 3 years ago. I am pleased that we are finally moving forward.

BIOMETRICS

Now, Mr. Chairman, for years you and I have raised concerns that the administration has not made a priority of integrating our various biometric databases. If we are to ensure that we only allow entry into this country of those who pose no threat, we need to verify their identity and match their biometric information, their fingerprints, against the FBI's existing fingerprint database.

Over 2 years ago, this subcommittee began calling upon the administration for real-time interoperability between the Automated

Biometric Identification System, IDENT, and the FBI's Integrated Automated Fingerprint Identification System, IAFIS. It appears that the message is finally being heard and that some progress is being made toward this end. The subcommittee wants to learn today when we will achieve this goal, and how much it will cost?

I look forward to hearing from the witnesses and I again congratulate my chairman for conducting this hearing and for addressing our border security needs in a bipartisan manner.

Senator GREGG. Thank you. Thank you, Senator, and thank you for those very kind words, and the feelings are mutual. Obviously, you have been an extraordinary leader in the Senate for many, many years, a legend really.

Senator BYRD. Thank you, thank you.

Senator GREGG. I enjoy working with you immensely and the points you made are the points that concern myself.

Senator BYRD. Thank you.

Senator GREGG. I would note that the FBI center I believe is in West Virginia is it not, that has all these fingerprints?

Senator BYRD. Would you say that again, please?

Senator GREGG. I also note that the temperature in this room is extraordinarily warm, so I may take my coat off, and if people want to take their coats off, please do. Clearly this committee is going to be needing LIHEAP money if we keep this temperature up.

Senator BYRD. I am, I will take mine off.

Senator GREGG. A little warm in here.

We are joined today, fortunately, by the people who have some answers for us and who have done a good job trying to get this system up. That is the Director of the US VISIT program, Jim Williams, and also the Director of Technology, Information Architecture Systems at the Government Accountability Office, Randy Hite. We appreciate your commitment to this effort. We know it has been sincere and genuine and we would like to hear your thoughts of where we are, where we are going, and what the problems are and how we can help.

Mr. Williams.

STATEMENT OF JAMES A. WILLIAMS, DIRECTOR, UNITED STATES VISITOR AND IMMIGRATION STATUS TECHNOLOGY PROGRAM, DEPARTMENT OF HOMELAND SECURITY

Mr. WILLIAMS. Good morning, Chairman Gregg, ranking member Byrd, and other distinguished subcommittee members. Thank you for the opportunity today to discuss with you the Department of Homeland Security's US VISIT program. In addition to these brief oral remarks, I have submitted a written statement, which I hope you will include in the record.

Mr. Chairman, as Congress has mandated, our immigration and border management system must simultaneously enhance the security of our citizens and visitors, facilitate legitimate travel and trade, ensure the integrity of our immigration system, and protect the privacy of our visitors. To accomplish these goals, Mr. Chairman, you and your colleagues in Congress have wisely recognized that we cannot continue to use 20th century tools to address 21st century threats, challenges, and opportunities. We owe the American people a wholesale transformation of our immigration and border management system.

US VISIT represents the most prominent step we have taken so far and it is succeeding because it combines the best of technology, people, and business processes with the right policies, infrastructure, and with a strong emphasis on interagency and intergovernmental cooperation and collaboration with the private sector.

In just 2 years of operation, US VISIT has met a series of substantial milestones, giving us for the first time a biometrically based system to reliably verify the identity of those who enter or apply for entrance into the United States. On January 5, 2004, we deployed US VISIT biometric entry procedures at 115 airports and 14 seaports. On September 30, 2004, we expanded biometric entry procedures to include those applying for admission under the Visa Waiver Program, VWP. In October 2004, US VISIT supported the full deployment of the State Department's BioVisa program, which records biometric and biographic information at consulates around the world.

By December 29, 2004, 2 days ahead of schedule, we deployed US VISIT biometric entry at our 50 busiest land ports along our northern and southern borders. At 14 pilot locations, US VISIT has collected biometrics from travelers departing the United States. In early August 2005, we began testing radio frequency identification technology, or RFID, at five ports along our northern and southern land borders, and we deployed biometric entry capabilities at 104 remaining land ports of entry before the congressionally mandated deadline of December 31, 2005.

As a result of all this, US VISIT is providing powerful capabilities that did not exist just 2 years ago. Since January 2004, we have processed more than 47 million visitors, which makes US VISIT one of the largest scale biometric applications in the world. Biometrics have enabled DHS to intercept at our ports of entry more than a thousand people with criminal histories, such as murderers, rapists, child predators, drug traffickers, and immigration violators, and to deny visas overseas to thousands more.

Just as importantly, biometrics are depriving potential terrorists of the ability to use fraudulent identification documents, which are among their most powerful tools, to gain entry and threaten our country and our people.

We also place a high priority on being responsible stewards of the information and technologies entrusted to us by applying the principles of the Privacy Act to protect our visitors' private information from misuse. Just last month, the 9/11 Commission's Public Discourse Project gave the US VISIT program a grade of B, recognizing our achievements to date and providing a reminder we have much work to do.

US VISIT FUTURE INITIATIVES: E-PASSPORTS, INTEROPERABILITY, TEN FINGER SCANS

I would like to say just a few words about our work ahead. With the State Department, we are working with VWP countries to ensure they issue e-Passports to their citizens after October of this year, and we are also currently testing e-Passport readers with Australia, New Zealand, and Singapore as part of a live test at San Francisco International Airport. Also, DHS and US VISIT are making important strides to share information across many agencies.

We know that interoperability between databases is an important priority for us, this committee, and for you in particular, Mr. Chairman. DHS and the Departments of Justice and State are working hard to achieve interoperability between the FBI's IAFIS fingerprint system and DHS's IDENT fingerprint system. We are making good progress on this effort, thanks in large part to the efforts of FBI's Tom Bush and Jerry Pender, as well as the State Department's Tony Edson.

We are also preparing a plan now to implement Secretary Chertoff decision to enroll all U.S. visitors with ten finger scans. This will enable us to identify visitors with even greater accuracy than we do today, send fewer people to secondary inspection, and allow border and visa-issuing officers to focus more on those who might be greater risks.

Before I close, I would like to note that we appreciate the advice and support that we have received from GAO's Randy Hite and his team, who have provided important insights about the development of the US VISIT program.

As Winston Churchill said to the British people after they won their first major battle of World War II: "We are at the end of the beginning." We know that we have much work ahead to deliver the 21st century system that the President, the Congress, and the American people need to ensure our continued national and economic security and protect our values.

PREPARED STATEMENT

I appreciate greatly the support of this committee and the Congress that allowed for our achievements thus far, and we look forward to continuing to work with you as we move ahead.

I would be glad to answer your questions. Thank you.

[The statement follows:]

PREPARED STATEMENT OF JAMES A. WILLIAMS

Chairman Gregg, Ranking Member Byrd, and other distinguished Members, it is a pleasure to appear before you today to discuss the progress the Department of Homeland Security's United States Visitor and Immigrant Status Indicator Technology (US VISIT) program has made in securing our Nation's borders.

ESTABLISHMENT OF THE US VISIT PROGRAM

It is the Department of Homeland Security's (DHS or Homeland Security) vision to modernize and improve our immigration and border management system through integration, collaboration, and cooperation among all parts of the immigration and border management community—a community that includes DHS organizations such as Customs and Border Protection (CBP), and the Department of State (DOS or State), among many others. Moreover, it is imperative that these many organizations work together as a single enterprise to accomplish a single mission—coordinating roles, sharing information and technology, complementing and reinforcing one another's business processes, and eliminating redundancies.

DHS created the US VISIT program in July 2003 to meet statutory requirements and, more broadly, to achieve the following program goals:

—To enhance the security of our citizens and visitors;
—To facilitate legitimate travel and trade;
—To ensure the integrity of our immigration system; and
—To protect the privacy of our visitors.

The US VISIT program is part of a continuum of security measures that begins outside our Nation's physical borders. The program is a critical component of DHS's strategies to prevent terrorist attacks on the United States and facilitate the movement of legitimate travel and trade. US VISIT represents a major achievement in creating an integrated border screening system that enhances our Nation's security

and our efforts to reform our immigration and border management systems. Through US VISIT, DHS is increasing our ability to manage the information collected about foreign visitors during the pre-entry, entry, status management, and departure processes, and allows us to conduct better analysis of that information, and thereby strengthens the integrity of our immigration system.

ACCOMPLISHMENTS OF US VISIT

DHS deployed US VISIT on time, within budget, and has met every mandate established by Congress to date, as well as incorporating biometrics (fingerscans and digital photographs) into US VISIT. The addition of biometrics, coupled with the integration of databases, has contributed to improved decision-making and information sharing across the immigration and border management community. In each of the incremental improvements that have been successfully deployed to date, all of the four goals listed above have been met.

DHS met its first statutory requirement by integrating existing arrival and departure biographic information on December 31, 2003. Subsequently, DHS:

—deployed US VISIT biometric entry procedures at 115 airports and 14 seaports on January 5, 2004, for those individuals applying for admission with nonimmigrant visas (Since that time, US VISIT has been deployed to an additional seaport);
—expanded biometric entry procedures to include those individuals applying for admission under the Visa Waiver Program on September 30, 2004;
—supported the deployment of DOS's BioVisa Program, completed in October 2004;
—deployed biometric entry to the 50 busiest land ports by December 29, 2004;
—collects biometrics on exit at 14 pilot locations for travelers departing the United States;
—implemented radio frequency identification technology (RFID) at five sites along the northern and southern land borders to capture entry/exit information, trigger updated watchlist checks, and provide the results of this information in a cohesive form to the CBP officer at entry;
—deployed to all ports of entry the initial capability to compare and authenticate travel documents issued by the United States by October 26, 2005;
—deployed biometric entry capabilities to the remaining 104 land border ports of entry before the Congressionally mandated deadline of December 31, 2005; and
—will deploy reader technology that is capable of accommodating biometrically enabled e-Passports from Visa Waiver Program countries by October 26, 2006.

Enhancing Security and Improving Integrity of the Immigration System

The use of biometric and biographic data provides DOS consular officers, CBP officers, and other immigration and border management officials the information they need to authenticate travel documents; verify identity; and identify criminals, immigration violators, and other individuals who may pose threats to our security or public safety before they can enter the United States. For the overwhelming majority of foreign travelers who are welcome into our country, this same access to data means they can be processed more quickly and more efficiently while their privacy is protected.

Through US VISIT, DHS has processed approximately 47.6 million travelers at our ports of entry from its inception through January 5, 2006. During this same period, the use of biometrics alone has allowed DHS to intercept more than 1,011 known criminals and immigration law violators—including individuals wanted for murder, rape, drug trafficking, and pedophilia. Two examples:

—Several months ago, CBP officers at Los Angeles International Airport encountered a Swiss national seeking admission as a visa waiver applicant. A US VISIT fingerscan check by CBP officers revealed that this person was wanted by INTERPOL for suspected pedophilia.
—Prior to US VISIT, the traveler presented a fraudulent visa to enter the United States more than 60 times using without detection by standard biographic record checks. A routine US VISIT check by CBP officers at John F. Kennedy International Airport revealed his deception, and further CBP checks found that he had two prior arrests for drug trafficking, a subsequent failure to appear in court and visa fraud.

The use of biometric identifiers—specifically digital fingerscans and photographs—has made travel safer and more secure by identifying individuals attempting to claim other identities. The matching of fingerprints through DOS's BioVisa Program, which is fully integrated with US VISIT, against DHS's biometric watchlist has resulted in 15,200 hits on individuals applying to DOS for visas to come to the United States, to date (January 2004 through January 5, 2006).

Additionally, US VISIT provides Immigration and Customs Enforcement's (ICE) Compliance Enforcement Unit with a listing of possible overstays on a weekly basis. This exchange of information has led to the arrest by ICE of 122 individuals (January 2004 through January 5, 2006) who have overstayed the terms of their admission.

Facilitating Travel and Trade

These accomplishments have been achieved without adversely impacting inspection times for the millions of legitimate international travelers who visit the United States every year. At some land border ports of entry, automation of former paper processes through US VISIT procedures have significantly reduced the time it takes for a visitor to obtain a Form I–94 and be admitted into the country. For example, in Laredo, Texas, the Form I–94 issuance process has been reduced from an average of 8 to11 minutes to just 2 to 5 minutes, even though we have added the collection of biometrics and additional security screening to the process. The Port Director in Nogales, Arizona, James Tong, said that US VISIT "saved their bacon" by being able to deal effectively with the long lines at his port during the last holiday season thanks to faster processing capabilities.

Protecting the Privacy of Our Visitors

From its beginning, US VISIT has applied the principles of the U.S. Privacy Act to foreign nationals enrolled in the program. US VISIT has acted to ensure institutional adherence to privacy regulations and best practices including establishment of a Privacy Office that oversees development of privacy principles and policy, mandatory privacy training for program staff, and a set of checks and procedures to ensure an avenue for redress by the public. The program has published, and regularly updated, a Privacy Impact Assessment and Systems of Record Notices. From more than 47.6 million transactions, the Privacy Office has received approximately 131 requests for redress since the program's beginning. DHS's former Chief Privacy Officer Nuala O'Connor Kelly said of US VISIT, "There's a program that's taking a lot of information and they're dealing with it respectfully, accurately and thoughtfully . . . I think they're a textbook study on how to get it right."

US VISIT'S CONTINUING EFFORTS

The Intelligence Reform and Terrorism Prevention Act of 2004, following the 9/11 Commission Report, has called for the completion of a biometric entry and exit system as expeditiously as possible. US VISIT has undertaken the following additional initiatives:

International Border Management and Cooperation

We are working with foreign governments and private sector entities to establish strong and workable international standards for interoperability. For example, DHS has worked closely with DOS and countries participating in the Visa Waiver Program (VWP) to ensure new passports issued by VWP countries and our Department of State on or after October 26, 2006, will be e-Passports that include an integrated computer chip capable of storing biographic information from the data page, a digital photograph, and future biometric information that can be read by DHS readers.

Further, we are working in concert with Australia, New Zealand, and Singapore to pilot test e-Passport readers. The test began January 15 and will run through the late spring. Australia's immigration minister announced that his country would test a biometric border security system at Sydney's airport. Japan is building a biometric entry system which they have publicly stated will be modeled after US VISIT. The European Commission published proposals in June 2005, to upgrade the Schengen Information System to include biometric data as well as information on individuals subject to European arrest warrants or extradition, and individuals refused entry to the European Union. Currently, the European Union is collecting fingerscans and digital photographs in several pilot sites comparable to the BioVisa Program.

DHS and US VISIT are also working closely with our Canadian and Mexican neighbors, largely through the Security and Prosperity Partnership, in bi-national working groups that are helping us create a more consolidated, North American approach to enhancing security and facilitating trade and travel.

International Registered Traveler

International Registered Traveler (IRT) initiatives cover a wide variety of programs, including proposed programs such as a future international trusted traveler program, and ongoing programs on North American borders such as FAST, SENTRI, and NEXUS. For the past year, US VISIT, in coordination with CBP and

the Transportation and Security Administration (TSA), has been working closely with representatives from The Netherlands to develop and test an international registered traveler program that would allow enrolled travelers to pass through inspections more quickly.

Information Sharing Across Agencies

Efforts to support the sharing of alien biometric and biographic information, and integrated alien information systems and processes within the immigration and border management enterprise have already reaped rewards such as the expansion of US VISIT databases to include information from DOS, USCIS, the Federal Bureau of Investigation (FBI), CBP, ICE, the Department of Defense (DOD), and INTERPOL.

DHS, and the Departments of Justice (DOJ) and DOS are working collaboratively to achieve interoperability between the FBI's Integrated Automated Fingerprint Identification System (IAFIS) and DHS's Automated Biometric Identity System (IDENT).

Departure Confirmation

DHS is examining the results of the current exit pilots at 14 airports and seaports and DHS will determine the best approach for capturing exit data using biometrics and biographic information. We continue to rely on our existing exit process, which are being enhanced now by the implementation of the Advanced Passenger Information System rule.

10-Print Transition and Interoperability

US VISIT is not a single database or computer network, but rather the bond that ties together several, previously independent databases and watchlists. The benefit of using prior systems, as opposed to starting anew, is that DHS has been able to make marked improvements over a very short period of time.

DHS is progressing towards a seamlessly integrated system that will allow users access to all relevant information in a timely manner to make the right decisions on those individual visitors and immigrants they encounter The next step is the interoperability of Homeland Security's IDENT with the FBI's IAFIS.

Currently, DHS uses the IDENT two index fingerprint system to collect and match fingerprints of international visitors entering United States and of applicants for visas with the Department of State. This process allows DHS and DOS to conduct watchlist checks and verify that the person appearing before the CBP officer is the same person previously encountered or granted a visa or other travel document.

IDENT/IAFIS interoperability will increase DHS and DOS's ability to screen individuals, increase accuracy of matching, and provide greater ability to match against latent prints. Integration will also benefit the FBI and other law enforcement organizations by providing them with increased access during the interim solution to information on high-risk individuals to whom DOS refused a visa and those whom DHS has expeditiously removed.

On July 13, 2005, the Secretary announced that in the future, first-time visitors to the United States will be enrolled in the program by submitting ten fingerprints. The Administration is developing an implementation plan and associated cost estimates. The plan will address interoperability as well as migration to ten fingerscans. Moving to a 10-fingerscan standard will allow us to be able to identify visitors with even greater accuracy. This will translate into sending fewer people to secondary inspection, allowing us to focus more time and attention on those who might be potential risks to the country. It also allows us to match against additional watchlist fingerprints including latent prints, and create a common standard of fingerprint capture and use.

Although making both fingerprint databases interoperable may sound simple, it presents a number of challenges. New systems and processes must be developed, and new hardware must be installed at both database storage sites. This must all be done in a manner that maintains the high standards of efficiency, effectiveness, and privacy that we have achieved with the current US VISIT system.

DHS and DOJ Joint Solutions

During joint meetings this past spring, staff from US VISIT and the FBI Criminal Justice Information Services (CJIS) Division identified three potential models for making IDENT and IAFIS interoperable. In May 2005, US VISIT and DOS leaders traveled to Clarksburg, WV to meet with the leadership of the FBI'S CJIS Division. During that meeting, we agreed to guiding principles for interoperability.

These efforts were given additional energy with Secretary Chertoff's announcement that US VISIT will transition to biometrically screening international visitors

using a fingerprint standard of 10-fingerscan capture at enrollment and two-flat finger verification for each subsequent encounter.

An Interoperability Integrated Project Team (IPT) was established in June with FBI'S CJIS Division and State Department's Bureau of Consular Affairs. This team, with representation from the major government stakeholders, will develop the roadmap to successful interoperability. Additionally, USCIS and ICE are two very important stakeholders and are participating actively when preparing for future interoperability.

Our relationship with FBI's CJIS Division has been further strengthened with the addition of US VISIT Deputy Director, Robert Mocny, as the DHS representative to the FBI's CJIS Division Advisory Policy Board (APB). This signifies a new and improved relationship with FBI's CJIS Division, and participation will hasten progress towards achieving full interoperability and optimize our work with States and localities.

The IPT has agreed upon three phases to achieving interoperability: (1) an interim data sharing model (data sharing solution); (2) initial operating capability (IOC); and (3) full operating capability (FOC).

The interim solution will consist of a prototype (also known as the interim data sharing model) that is a first step towards the new interoperable environment between IDENT and IAFIS. The interim solution will allow for two-way sharing of certain biometric information. FBI will provide information on all wants and warrants. DHS will provide information on expedited removals. State will provide Category 1 visa refusals (e.g., generally one involving a permanent ground of inadmissibility). DHS and FBI's CJIS Division will formally start the first phase on February 1, 2006, and anticipate the interim solution to be implemented over the following 6 to 8 months. This time period will be used to design and build the prototype system.

During the next phase, the initial operating capability (IOC), State and DHS will begin to collect 10 prints; DHS will convert the current two-print DHS IDENT system to store and utilize 10-flat prints in processing. DHS and FBI will establish an infrastructure for exchanging information and search capabilities.

Finally, the full operating capability (FOC) will be achieved about eighteen months after the completion of IOC. The FOC includes full information sharing, subject to controlling laws and policy; high performance searches of biometric data in both IDENT and IAFIS for positive identification; increased matcher performance appropriate to the increased volumes; and more comprehensive biographic/case data sharing.

DHS, along with the Departments of State, Justice, and Defense, as well as the National Institute of Standards and Technology, hosted an industry day to challenge the industry to make a smaller, faster, more accurate 10-print capture device. We are working with industry to help design new capture devices that meet DHS's basic operational requirements at primary inspection. Advances in technology will allow DHS and State to routinely collect 10 slap prints, without negatively impacting the thousands of international visitors that pass though our ports and visa issuing posts every day.

As with previous border security initiatives that involve using biometrics, no one should underestimate the very real and significant technological challenges, including the present realities that include:

—No capture device on the market today can take and process 10 prints in the same timeframe experienced for taking and processing two prints.

—No capture device on the market today can capture 10 prints in less than three slaps (four fingers left, four fingers right, two thumbs), and most require four slaps (four fingers left, four fingers right, left thumb, right thumb). None meet current operational processing requirements for ports of entry, embassies, or consulates.

—When more than one finger is scanned, segmentation of the fingers into individual scans is necessary; this is one of the primary factors that add processing time beyond that experienced today when using single finger scans.

—Finally, the vendor community will need to manufacture sufficient quantities of scanners to respond to this initiative.

IDENT/IAFIS interoperability will provide all users with more information and greater accuracy. Collecting and storing ten-prints on initial encounter (enrollment) will improve the accuracy of matches and provide increased ability to match latent prints, DHS and DOS can then use two prints to verify that the person appearing before them is the same one encountered previously.

IDENT/IAFIS Workstation Deployment

DHS completed deployment of integrated IDENT/IAFIS workstations to all remaining CBP ports of entry and Immigration and Customs Enforcement (ICE) sites by December 31, 2005.

The 2005 deployment focused on the remaining 66 ports of entry as well as the 339 ICE locations.

These workstations allow DHS's users in the field to collect one set of 10-rolled prints and simultaneously transmit them to both IDENT and IAFIS for checks. This functionality is being deployed to improve access to fingerprint and criminal history data for law enforcement purposes.

The IDENT/IAFIS workstations are an important tool for Border Patrol, secondary inspections, and interior enforcement. During these encounters—where DHS already has identified that the individual may not be admissible or may pose a threat—more time can be spent with the individual so that DHS can obtain additional information from both of these biometric watchlist systems that will help in the determination of what actions may be most appropriate.

CONCLUSION

Since inception, US VISIT has met all of its goals. DHS and US VISIT continue to work with the rest of the world to harmonize international border processes and standards for data sharing.

At the same time, these improvements in screening have facilitated legitimate trade and travel. We conducted (and continue to conduct) extensive outreach and public education efforts to ensure that both affected government staff and travelers understood the US VISIT process and knew what to expect at the borders.

DHS continues to explore departure confirmation alternatives at our air and seaports. US VISIT is looking at effective ways to utilize RFID at the land ports. In the future, this information could be shared with State and local law enforcement, as appropriate. Through US VISIT, we are establishing an "enrolled population"—a population that is "known" and for whom risk is assessed through recurrent biometric screening. And from there, we can expand the security and facilitation enhancements provided by DHS and US VISIT through the development of a registered traveler program to facilitate the travel of known, low-risk individuals.

In closing, I'd like to thank you for your support for the work that has already been accomplished and your future assistance and commitment to the work that lies ahead.

Senator GREGG. Thank you, Mr. Williams.

Mr. Hite we do appreciate GAO. You are sort of the fair arbiter here, calling it how you see it, and we are interested in what you see.

STATEMENT OF RANDOLPH C. HITE, DIRECTOR, INFORMATION TECHNOLOGY ARCHITECTURE AND SYSTEMS ISSUES, GOVERNMENT ACCOUNTABILITY OFFICE

Mr. HITE. Thank you, Mr. Chairman. Let me begin by commending this subcommittee for its oversight of the US VISIT program. Through legislative language, you have required annual expenditure plans of the US VISIT program and through that you have been able to provide valuable program direction and you have established a real important accountability mechanism. So I commend you for that.

Now, this legislative language has also required GAO to review these annual expenditure plans. In this regard, we have issued reports on each plan as well as other issues surrounding the program and we have made over 25 recommendations aimed at improving DHS's ability to manage the program, recommendations, I would add, that DHS has stated have served to make the program stronger.

My testimony today largely focuses on where DHS stands in implementing our recommendations and to facilitate this discussion what I will do is place the recommendations into the three buckets.

Bucket one contains those recommendations to ensure that the program as it has been defined thus far by DHS is the right thing to do, meaning that sufficient analysis has been performed to demonstrate that each program increment is being defined within the context of a larger homeland security operational and technological vision, and that each increment will produce mission results commensurate with expected costs.

Bucket two contains those recommendations to ensure that the program is being done the right way, meaning that DHS is employing the necessary mix of people, processes, and tools to maximize the chances of delivering incrementally promised capabilities and benefits on time and within budget.

Bucket three contains those recommendations to ensure that the program is held accountable for results, meaning that incremental commitments—and by that I mean cost, schedule, capability, and benefit commitments—are defined and performance against each is measured and disclosed.

STATUS OF IMPLEMENTING GAO RECOMMENDATIONS

Now, before I summarize where the program stands in implementing these buckets of recommendations, let me first give credit where credit is due. Specifically, the US VISIT program in concert with the State Department and others have met some pretty demanding time frames for deploying and operating an entry screening and identification capability at hundreds of overseas facilities and U.S. ports of entry. This capability is producing certain results, such as denying visas to undeserving applicants, preventing entry to criminal aliens, and arguably deterring terrorists from even attempting entry. These are not trivial accomplishments, especially considering that they have occurred during a period when DHS has experienced some very well-publicized growing pains.

Having said this, however, I would also reiterate what you mentioned, Mr. Chairman, in your opening remarks, and that is what is operating today at the ports of entry still does not include a comparable exit capability and much remains to be done before DHS and FBI fingerprinting systems achieve real-time interoperability.

In addition, many of our recommendations aimed at improving US VISIT program management have not yet been fully implemented. With respect to those recommendations aimed at ensuring that US VISIT is the right thing, there's more to be done. In particular, while the program office—and I emphasize, the program office—has done this, they have established their understanding of the strategic context in which US VISIT is to operate by, for example, drafting a strategic plan showing how US VISIT is aligned with the proposed immigration and border management vision. The plan has not yet been—the plan has been received at the departmental level, but has not been approved, and it remains unclear how this program-level strategic plan relates to broader DHS strategic initiatives, such as the secure border initiative and the Department's enterprise architecture.

As we have previously reported, implementing programs like US VISIT without an explicit and stable corporate context increases the likelihood that later the program will have to be reworked. In addition, reliable return on investment analyses have yet to be pro-

duced that show that program increments are cost effective, and certain analyses done to date show that program impacts and options going forward were limited.

With respect to recommendations aimed at ensuring that the US VISIT program is done the right way, DHS has made mixed progress. On the positive side, progress has been good in establishing human capital capabilities, the people, which is important in this particular program because achievements achieved thus far are owed largely to the outstanding efforts of the people on the program, both the contractor and with the government.

But this kind of people dependency does not reasonably assure future successes. To have such assurance, the program needs to institutionalize certain management processes, such as acquisition management, configuration management, risk management, capacity management, and on and on, all of which we have recommended. I would also add that these are not just nice-to-have process capabilities; these are fundamental to ensuring that large complex programs like US VISIT live up to expectations.

Finally, on the issue of accountability more work remains to be done there, too, to implement our recommendations. For example, the expenditure plans that you have required through legislation to date have not defined in meaningful and measurable terms what incremental capabilities and benefits—and I emphasize the incremental aspect of that—will be delivered, when, and what costs; and these plans have not adequately addressed what progress is actually being made against incremental commitments.

Without measurable commitments and timely and accurate reporting on the satisfaction of them, I would submit that program accountability is lost.

PREPARED STATEMENT

In closing, let me say that our Nation's immigration and border management challenges require that programs like US VISIT be managed effectively and efficiently. Our recommendations are aimed at making this happen. This concludes my statement. I would be happy to answer any questions that you have at this time.

[The statement follows:]

PREPARED STATEMENT OF RANDOLPH C. HITE

Mr. Chairman and Members of the Subcommittee: We appreciate the opportunity to participate in the Subcommittee's hearing on US VISIT (the United States Visitor and Immigrant Status Indicator Technology), a multibillion-dollar program of the Department of Homeland Security (DHS) that is intended to achieve a daunting set of goals: to enhance the security of our citizens and visitors and ensure the integrity of the U.S. immigration system, and at the same time to facilitate legitimate trade and travel and protect privacy. To achieve these goals, US VISIT is to record the entry into and exit from the United States of selected travelers, verify their identity, and determine their compliance with the terms of their admission and stay.

Since fiscal year 2002, the House and Senate Appropriations Committees have provided valuable oversight and direction to DHS on US VISIT by legislatively directing it to submit annual expenditure plans for committee approval. This legislation also directed us to review these plans. Our reviews have produced four reports that, among other things, described DHS progress against legislatively mandated milestones and identified fundamental challenges that the department faced in de-

livering promised program capabilities and benefits on time and within cost.[1] For example, we reported in September 2003 that the program office did not have the human capital and acquisition process discipline needed to effectively manage the program. In light of the challenges that we identified, we concluded that the program carries an appreciable level of risk, meaning that it must be managed effectively if it is to be successful.

Managing US VISIT effectively requires high levels of capability and expertise. Fundamentally, it entails being able to respond affirmatively to two basic questions. First, are we doing the right thing? To be sure that a program is doing the right thing, it needs to be justified by sufficient fact-based and verifiable analysis to show that the program as defined will properly fit within the larger homeland security operational and technological environments and that it will produce mission value commensurate with expected costs and risks. The second question is, are we doing it the right way? To be done the right way, a program needs to be executed in a rigorous and disciplined manner, which means that it needs to employ the necessary mix of people, processes, and tools to reasonably ensure that promised program capabilities and expected mission value are delivered on time and within budget. Beyond these two questions, effective program management also means that the program is held accountable for results, which involves measuring and disclosing performance relative to explicitly defined program goals, outcomes, and commitments.

Over the last 4 years, our reports have provided recommendations to DHS to ensure that these questions are answered and used as the basis for informed decision making about US VISIT. They have also provided recommendations to promote DHS accountability for the program. These recommendations have been aimed at helping the department to ensure that this program fulfills expectations: in other words, that the program is doing the right thing in the right way, and that it is holding itself accountable for doing so. According to DHS, the recommendations have made US VISIT a stronger program. Further, they concur with the need to implement them with due speed and diligence.

My statement will describe the status of US VISIT and where the department now stands in implementing these recommendations and thus in addressing the challenges that it faces. It is based on our aforementioned reports to the Appropriations Committees and our ongoing work for the House Committee on Homeland Security. All work on which this testimony is based was performed in accordance with generally accepted government auditing standards.

RESULTS IN BRIEF

To its credit, the US VISIT program has met a number of legislatively mandated requirements. A pre-entry screening capability is in place in visa issuance offices, and an entry identification capability is available at 115 airports, 14 seaports, and in the secondary inspection areas[2] of 154 land ports of entry. This has been accomplished despite the considerable departmental change occurring around the program, and according to DHS, it has prevented criminal aliens from entering the United States, besides probably deterring other criminals and terrorists from attempting to enter through these ports.

Our recommendations over the last 4 years have been aimed at helping DHS meet its US VISIT obligations by ensuring that it is doing the right thing in the right way, and that the department holds itself accountable for results. To address these recommendations, DHS has taken a number of steps. To help ensure that is doing the right thing, the department is in the process of clarifying the strategic context in which US VISIT is to operate; it has analyzed the program's costs, benefits, and risks; and it has begun analyzing program impacts and options that will provide a basis for future program increments. However, the program's fit within the department's operational and technology context remains unclear, and DHS has yet to demonstrate that early program increments are producing or will produce mission value commensurate with expected costs and risks. In particular, the department's

[1] GAO, Information Technology: Homeland Security Needs to Improve Entry Exit System Expenditure Planning, GAO–03–563 (Washington, DC: June 9, 2003); Homeland Security: Risks Facing Key Border and Transportation Security Program Need to Be Addressed, GAO–03–1083 (Washington, DC: Sept. 19, 2003); Homeland Security: First Phase of Visitor and Immigration Status Program Operating, but Improvements Needed, GAO–04–586 (Washington, DC: May 11, 2004); and Homeland Security: Some Progress Made, but Many Challenges Remain on U.S. Visitor and Immigrant Status Indicator Technology Program, GAO–05–202 (Washington, DC: Feb. 23, 2005).

[2] Secondary inspection is used for more detailed inspections that may include checking more databases, conducting more intensive interviews, or both.

return on investment analyses for exit solutions do not demonstrate that investment options will be cost-effective.

On our recommendations aimed at ensuring that the program is executed in the right way, DHS has made mixed progress. For example, the department has made good progress in establishing the program's human capital capabilities, which is important, because progress in establishing program management process controls, such as test management, has not been as good. For example, a test plan used in a recent system acceptance test did not adequately trace between test cases and the requirements to be verified by testing. As we have previously reported, incomplete test plans reduce assurance that systems will perform as intended once they are deployed. Our experience in reviewing large, complex programs like US VISIT has shown that such process management weaknesses typically result in programs falling short of expectations.

With regard to our recommendations for establishing accountability for program results by measuring and disclosing performance relative to program goals, outcomes, requirements, and commitments, more also remains to be done. For example, DHS has yet to define performance standards that reflect limitations of the existing systems that make up US VISIT. Also, its expenditure plans have not described progress against commitments made in previous plans. Unless performance against requirements and commitments is measured and disclosed, the ability to manage and oversee the program will suffer.

BACKGROUND

US VISIT is a governmentwide program intended to enhance the security of U.S. citizens and visitors, facilitate legitimate travel and trade, ensure the integrity of the U.S. immigration system, and protect the privacy of our visitors. The scope of the program includes the pre-entry, entry, status, and exit of hundreds of millions of foreign national travelers who enter and leave the United States at over 300 air, sea, and land ports of entry, as well as analytical capabilities spanning this overall process.

To achieve its goals, US VISIT uses biometric information (digital fingerscans and photographs) to verify identity and screen persons against watch lists.[3] In many cases, the US VISIT process begins overseas, at U.S. consular offices, which collect biometric information from applicants for visas, and check this information against a database of known criminals and suspected terrorists. When a visitor arrives at a port of entry, the biometric information is used to verify that the visitor is the person who was issued the visa or other travel documents. Ultimately, visitors are to confirm their departure by having their visas or passports scanned and undergoing fingerscanning. (Currently, at a few pilot sites, departing visitors are asked to undergo these exit procedures.) The exit confirmation is added to the visitor's travel records to demonstrate compliance with the terms of admission to the United States.

Other key US VISIT functions include:

—collecting, maintaining, and sharing information on certain foreign nationals who enter and exit the United States;

—identifying foreign nationals who (1) have overstayed or violated the terms of their admission; (2) may be eligible to receive, extend, or adjust their immigration status; or (3) should be apprehended or detained by law enforcement officials;

—detecting fraudulent travel documents, verifying traveler identity, and determining traveler admissibility through the use of biometrics; and

—facilitating information sharing and coordination within the immigration and border management community.

In July 2003, DHS established a program office with responsibility for managing the acquisition, deployment, operation, and sustainment of the US VISIT system and its associated supporting people (e.g., Customs and Border Protection officers), processes (e.g., entry/exit policies and procedures), and facilities (e.g., inspection booths and lanes).

As of October 2005, about $1.4 billion has been appropriated for the program, and according to program officials, about $962 million has been obligated to acquire, develop, deploy, operate, and maintain US VISIT entry capabilities, and to test and evaluate exit capability options.

[3] Biometric comparison is a means of identifying a person by biological features unique to that individual.

ACQUISITION AND IMPLEMENTATION STRATEGY

DHS plans to deliver US VISIT capability in four increments, with Increments 1 through 3 being interim, or temporary, solutions that fulfill legislative mandates to deploy an entry/exit system, and Increment 4 being the implementation of a long-term vision that is to incorporate improved business processes, new technology, and information sharing to create an integrated border management system for the future. In Increments 1 through 3, the program is building interfaces among existing ("legacy") systems, enhancing the capabilities of these systems, and deploying these capabilities to air, sea, and land ports of entry. These first three increments are to be largely acquired and implemented through existing system contracts and task orders.

In May 2004, DHS awarded an indefinite-delivery/indefinite-quantity[4] prime contract to Accenture and its partners. According to the contract, the prime contractor will help support the integration and consolidation of processes, functionality, and data, and it will develop a strategy to build on the technology and capabilities already available to produce the strategic solution, while also assisting the program office in leveraging existing systems and contractors in deploying the interim solutions.

US VISIT IS BEING IMPLEMENTED IN FOUR INCREMENTS

Increment 1 concentrates on establishing capabilities at air and sea ports of entry. It is divided into two parts—1A and 1B.

—Increment 1A (air and sea entry) includes the electronic capture and matching of biographic and biometric information (two digital index fingerscans and a digital photograph) for selected foreign nationals, including those from visa waiver countries.[5] Increment 1A was deployed on January 5, 2004, through the modification of pre-existing systems.[6] These modifications accommodated the collection and maintenance of additional data fields and established interfaces required to share data among DHS systems in support of entry processing at 115 airports and 14 seaports.

—Increment 1B (air and sea exit) involves the testing of exit devices to collect biometric exit data for select foreign nationals. Three exit alternatives were pilot tested at 11 air and sea ports of entry. These alternatives are as follows.

—*Kiosk.*—A self-service device (including a touch screen interface, document scanner, finger scanner, digital camera, and receipt printer) that captures a digital photograph and fingerprint and prints out an encoded receipt.

—*Mobile Device.*—A hand-held device that is operated by a workstation attendant and includes a document scanner, finger scanner, digital camera, and receipt printer to capture a digital photograph and fingerprint.

—*Validator.*—A hand-held device that is used to capture a digital photograph and fingerprint, which are then matched to the photograph and fingerprint captured via the kiosk and encoded in the receipt.

Increment 2 focuses primarily on extending US VISIT to land ports of entry. It is divided into three parts—2A, 2B, and 2C.

—Increment 2A (air, sea, and land entry) includes the capability to biometrically compare and authenticate valid machine-readable visas and other travel and entry documents at all ports of entry. Increment 2A was deployed on October 23, 2005, according to program officials. It also includes the deployment by October 26, 2006, of the capability to read biometrically enabled passports from visa waiver countries.

—Increment 2B (land entry) redesigned the Increment 1 entry solution and expanded it to the 50 busiest land ports of entry. The process for issuing entry/exit forms[7] was redesigned to enable the electronic capture of biographic, biometric (unless the traveler is exempt), and related travel documentation for arriving travelers. This increment was deployed to the busiest 50 U.S. land border ports of entry on December 29, 2004. Before Increment 2B, all information on

[4] An indefinite-delivery/indefinite-quantity contract provides for an indefinite quantity, within stated limits, of supplies or services during a fixed period of time. The government schedules deliveries or performance by placing orders with the contractor.

[5] The Visa Waiver Program permits foreign nationals from designated countries to apply for admission to the United States for a maximum of 90 days as nonimmigrant visitors for business or pleasure.

[6] Foreign nationals from visa waiver countries were included as of September 30, 2004.

[7] Entry/exit forms (Form I–94, entry/exit form, and Form I–94W, entry/exit for foreign nationals from visa waiver countries) are used to record a foreign national's entry into the United States. Each form has two parts—arrival and departure—and each part contains a unique number for the purposes of recording and matching arrival and departure records.

the entry/exit forms was hand written. The redesigned process provides for electronically capturing the biographic data on the entry/exit form. In some cases, Customs and Border Protection (CBP) officers enter the data electronically and then print the completed form.

—Increment 2C (land entry and exit) is to provide the capability to automatically, passively, and remotely record the entry and exit of covered individuals using radio frequency (RF) technology tags at primary inspection and exit lanes.[8] This tag includes a unique ID number that is to be embedded in each entry/exit form, thus associating a unique number with a US VISIT record for the person holding that form. One of DHS's goals in using this technology is to improve the ability to collect entry and exit information. In August 2005, the program office deployed the technology to three land ports of entry to verify the feasibility of using passive RF technology to record traveler entries and exits from the number embedded in the entry/exit form. The results of this demonstration are to be reported in February 2006.

Increment 3 extended Increment 2B (land entry) capabilities to 104 land ports of entry; this increment was essentially completed as of December 19, 2005.[9]

Increment 4 is the strategic US VISIT program capability, which program officials stated will likely consist of a further series of incremental releases or mission capability enhancements that will support business outcomes. The program reports that it has worked with its prime contractor and partners to develop this overall vision for the immigration and border management enterprise.

All increments before Increment 4 depend on the interfacing and integration of existing systems,[10] including the following:

—The Arrival and Departure Information System (ADIS) stores:

—noncitizen traveler arrival and departure data received from air and sea carrier manifests,

—arrival data captured by CBP officers at air and sea ports of entry,

—I–94 issuance data captured by CBP officers at Increment 2B land ports of entry,

—departure information captured at US VISIT biometric departure pilot (air and sea) locations,

—pedestrian arrival information and pedestrian and vehicle departure information captured at Increment 2C port of entry locations, and

—status update information provided by SEVIS and CLAIMS 3 (described below).

ADIS provides record matching, query, and reporting functions.

—The passenger processing component of the Treasury Enforcement Communications System (TECS) includes two systems: Advance Passenger Information System (APIS), a system that captures arrival and departure manifest information provided by air and sea carriers, and the Interagency Border Inspection System, a system that maintains lookout data and interfaces with other agencies' databases. CBP officers use these data as part of the admission process. The results of the admission decision are recorded in TECS and ADIS.

—The Automated Biometric Identification System (IDENT) collects and stores biometric data about foreign visitors.

—The Student and Exchange Visitor Information System (SEVIS) and the Computer Linked Application Information Management System (CLAIMS 3) contain information on foreign students and foreign nationals who request benefits, such as change of status or extension of stay. Some of these systems, such as IDENT, are managed by the program office, while some systems are managed by other organizational entities within DHS. For example, TECS is managed by CBP, SEVIS is managed by Immigration and Customs Enforcement, CLAIMS 3 is under United States Citizenship and Immigration Services, and ADIS is jointly managed by CBP and US VISIT.

US VISIT also interfaces with other, non-DHS systems for relevant purposes, including watch list updates and checks to determine whether a visa applicant has previously applied for a visa or currently has a valid U.S. visa. In particular, US VISIT receives biographic and biometric information from the Department of State's

---

[8] RF technology relies on proximity cards and card readers. RF devices read the information contained on the card when the card is passed near the device and can also be used to verify the identity of the cardholder.

[9] At one port of entry, these capabilities were deployed by December 19, but were not fully operational until January 7, 2006, because of a telephone company strike that prevented the installation of a T–1 line.

[10] In addition, Increment 2C (RF technology) will include the creation of a new system, the Automated Identification Management System.

Consular Consolidated Database as part of the visa application process, and returns fingerscan information and watch list changes.

US VISIT CAPABILITY IS OPERATING AT PORTS OF ENTRY

Over the last 3 years, US VISIT program officials and supporting contractor staff have worked to meet challenging legislative time frames, as well as a DHS-imposed requirement to use biometric identifiers. Under law, for example, DHS was to create an electronic entry and exit system to screen and monitor the stay of foreign nationals who enter and leave the United States and implement the system at (1) air and sea ports of entry by December 31, 2003, (2) the 50 highest-volume land ports of entry by December 31, 2004, and (3) the remaining ports of entry by December 31, 2005.[11] It was also to provide the means to collect arrival/departure data from biometrically enabled and machine-readable travel documents at all ports of entry.[12]

To the program office's credit, it has largely met its obligations relative to an entry capability. For example, on January 5, 2004, it deployed and began operating most aspects of its planned entry capability at 115 airports and 14 seaports, and added the remaining aspects in February 2005. During 2004, it also deployed and began operating this entry capability in the secondary inspection areas of the 50 highest volume land ports of entry. As of December 19, 2005, it had deployed and begun operating its entry capability at all but 1 of the remaining 104 land ports of entry.[13] The program has also been working to define feasible and cost-effective exit solutions, including technology feasibility testing at 3 land ports of entry and operational performance evaluations at 11 air and sea ports of entry.

Moreover, the development and deployment of this entry capability has occurred during a period of considerable organizational change, starting with the creation of DHS from 23 separate agencies in early 2003, followed by the establishment of a US VISIT program office shortly thereafter—which was only about 5 months before it had to meet its first legislative milestone. Compounding these program challenges was the fact that the systems that were to be used in building and deploying an entry capability were managed and operated by a number of the separate agencies that had been merged to form the new department, each of which was governed by different policies, procedures, and standards.

As a result of the program's efforts to deploy and operate an entry capability, DHS reports that it has been able to apprehend and prevent the entry of hundreds of criminal aliens: as of March 2005, DHS reported that more than 450 people with records of criminal or immigration violations have been prevented from entering. For example, its biometric screening prevented the reentry of a convicted felon, previously deported, who was attempting to enter under an alias; standard biographic record checks using only names and birth dates would have likely cleared the individual.

Another potential consequence, although difficult to demonstrate, is the deterrent effect of having an operational entry capability. Although deterrence is not an expressly stated goal of the program, officials have cited it as a potential byproduct of having a publicized capability at the border to screen entry on the basis of identity verification and matching against watch lists of known and suspected terrorists. Accordingly, the deterrent potential of the knowledge that unwanted entry may be thwarted and the perpetrators caught is arguably a layer of security that should not be overlooked.

DHS HAS YET TO DEMONSTRATE THAT US VISIT AS DEFINED IS THE RIGHT SOLUTION

A prerequisite for prudent investment in programs is having reasonable assurance that a proposed course of action is the right thing to do, meaning that it properly fits within the larger context of an agency's strategic plans and related operational and technology environments, and that the program will produce benefits in excess of costs over its useful life. We have made recommendations to DHS aimed at ensuring that this is in fact the case for US VISIT, and the department has taken steps intended to address our recommendations. These steps, however, have yet to produce sufficient analytical information to demonstrate that US VISIT as defined is the right solution. Without this knowledge, investment in the program cannot be fully justified.

---

[11] 8 USC 1365a; 6 USC 251 (transferred Immigration and Naturalization Service functions to DHS); 8 USC 1732(b).

[12] 8 USC 1732(b); 6 USC 251.

[13] One port of entry was not fully operational until January 7, 2006, because of a telephone company strike that prevented the installation of a T–1 line.

OPERATIONAL AND TECHNOLOGICAL CONTEXT ARE STILL BEING DEFINED

Agency programs need to properly fit within a common strategic context or frame of reference governing key aspects of program operations—e.g., what functions are to be performed by whom, when and where they are to be performed, what information is to be used to perform them, and what rules and standards will govern the application of technology to support them. Without a clear operational context for US VISIT, the risk is increased that the program will not interoperate with related programs and thus not cost-effectively meet mission needs.

In September 2003 we reported that DHS had not defined key aspects of the larger homeland security environment in which US VISIT would need to operate. For example, certain policy and standards decisions had not been made, such as whether official travel documents would be required for all persons who enter and exit the country—including United States and Canadian citizens—and how many fingerprints would be collected. Nonetheless, program officials were making assumptions and decisions at that time that, if they turned out to be inconsistent with subsequent policy or standards decisions, would require US VISIT rework. To minimize the impact of these changes, we recommended that DHS clarify the context in which US VISIT is to operate.

About 28 months later, defining this operational context remains a work in progress. For example, the program's relationships and dependencies with other closely allied initiatives and programs are still unclear. According to the US VISIT Chief Strategist, an immigration and border management strategic plan was drafted in March 2005 that shows how US VISIT is aligned with DHS's organizational mission and that defines an overall vision for immigration and border management. According to this official, the vision provides for an immigration and border management enterprise that unifies multiple internal departmental and other external stakeholders with common objectives, strategies, processes, and infrastructures. As of December 2005, however, we were told that this strategic plan has not been approved.

In addition, since the plan was drafted, DHS has reported that other relevant initiatives have been undertaken. For example:

—The DHS Security and Prosperity Partnership of North America is to, among other things, establish a common approach to securing the countries of North America—the United States, Canada, and Mexico—by, for example, implementing a border facilitation strategy to build capacity and improve the legitimate flow of people and cargo at our shared borders.

—The DHS Secure Border Initiative is to implement a comprehensive approach to securing our borders and combating illegal immigration.

According to the Chief Strategist, portions of the strategic plan are being incorporated into these initiatives, but these initiatives and their relationships with US VISIT are still being defined.

Similarly, the mission and operational environment of US VISIT are related to those of another major DHS program—the Automated Commercial Environment (ACE), which is a new trade processing system that is planned to support the movement of legitimate imports and exports and to strengthen border security. In addition, both US VISIT and ACE could potentially use common IT infrastructures and services. As we reported in February 2005, the program office recognized these similarities, but managing the relationship between the two programs had not been a priority matter. Accordingly, we recommended that DHS give priority to understanding the relationships and dependencies between the US VISIT and ACE programs.

Since our recommendation, the US VISIT and ACE managers have formed an integrated project team to, among other things, ensure that the two programs are programmatically and technically aligned. Program officials stated that the team has met three times since April 2005 and plans to meet on a quarterly basis going forward. The team has discussed potential areas of focus and agreed to three areas: RF technology, program control, and data governance. However, it does not have an approved charter, and it has not developed explicit plans or milestone dates for identifying the dependencies and relationships between the two programs.

It is important that DHS define the operational context for US VISIT, as well as its relationships and dependencies with closely allied initiatives and such programs as ACE. The more time it takes to settle these issues, the more likely that extensive and expensive rework will be needed at a later date.

RETURN ON INVESTMENT HAS YET TO BE DETERMINED

Prudent investment also requires that an agency have reasonable assurance that a proposed program will produce mission value commensurate with expected costs

and risks. Thus far, DHS has yet to develop an adequate basis for knowing that this is the case for its early US VISIT increments. Without this knowledge, it cannot adequately ensure that these increments are justified.

Assessments of costs and benefits are extremely important, because the decision to invest in any capability should be based on reliable analyses of return on investment. According to OMB guidance, individual increments of major systems are to be individually supported by analyses of benefits, cost, and risk.[14] In addition, OMB guidance on the analysis needed to justify investments states that such analysis should meet certain criteria to be considered reasonable.[15] These criteria include, among other things, comparing alternatives on the basis of net present value and conducting uncertainty analyses of costs and benefits. (DHS has also issued guidance on such economic analyses, which is consistent with that of OMB.[16] Without reliable analyses, an organization cannot be reasonably assured that a proposed investment is a prudent and justified use of resources.

In September 2003, we reported that the program had not assessed the costs and benefits of Increment 1. Accordingly, we recommended that DHS perform such assessments for future increments.[17] In February 2005, we reported that although the program office had developed a cost-benefit analysis for Increment 2B (which provides the capability for electronic collection of traveler information at land ports of entry),[18] it had again not justified the investment, because its treatment of both benefits and costs was unclear and insufficient.[19] Further, we reported that the cost estimates on which the cost-benefit analysis was based were of questionable reliability, because effective cost-estimating practices were not followed. Accordingly, we recommended that DHS follow certain specified practices for estimating the costs of future increments.[20]

Since our February 2005 report, the program has developed a cost-benefit analysis for Increment 1B (which is to provide exit capabilities at air and sea ports of entry). The latest version of this analysis, dated June 23, 2005, identifies potential costs and benefits for three exit solutions at air and sea ports of entry and provides a general rationale for the viability of the three alternatives described.[21] This latest analysis meets some but not all the OMB criteria for economic analyses. For example, it explains why the investment was needed, and it shows that at least two alternatives to the status quo were considered. However, it does not include, for example, a complete uncertainty analysis for the three exit alternatives evaluated. That is, it does not include a sensitivity analysis for the three alternatives, which is a major part of an uncertainly analysis.[22] (A sensitivity analysis is a quantitative assessment of the effect that a change in a given assumption—such as unit labor cost—will have on net present value.) A complete analysis of uncertainty is important because it provides decision makers with a perspective on the potential variability of the cost and benefit estimates should the facts, circumstances, and assumptions change.

---

[14] OMB, Planning, Budgeting, Acquisition and Management of Capital Assets, Circular A–11, Part 7 (Washington, DC: June 21, 2005).

[15] OMB, Guidelines and Discount Rates for Benefits-Cost Analysis of Federal Programs Circular A–94 (Washington, DC: Oct. 29, 1992).

[16] Department of Homeland Security, Capital Planning and Investment Control: Cost-Benefit Analysis Workbook (Washington, DC: May 2003).

[17] GAO, Homeland Security: Risks Facing Key Border and Transportation Security Program Need to Be Addressed, GAO–03–1083 (Washington, DC: 1Sept. 19, 2003).

[18] GAO, Homeland Security: Some Progress Made, but Many Challenges Remain on U.S. Visitor and Immigrant Status Indicator Technology Program, GAO–05–202 (Washington, DC: Feb. 23, 2005).

[19] For example, the cost-benefit analysis identified two categories of quantifiable benefits, but gave no quantitative or monetary estimates for those benefits. Instead, the analysis addressed two categories of benefits said to be nonquantifiable (strategic alignment benefits, such as the improvement of national security and the promotion of legitimate trade and travel, and operational performance benefits, such as improvement of traveler identification and validation of traveler documentation), but it did not explain why those benefits could not be quantified.

[20] Such cost-estimating practices are provided in a checklist for determining the reliability of cost estimates that was developed by Carnegie Mellon University Software Engineering Institute: A Manager's Checklist for Validating Software and Schedule Estimates, CMU/SEI–95–SR–004 (January 1995).

[21] As described in the background section, these alternatives are a mobile device, a kiosk, and a validator.

[22] The other major component of an uncertainty analysis is a Monte Carlo simulation. A Monte Carlo simulation allows all a model's parameters to vary simultaneously according to their associated probability distribution. The result is a set of estimated probabilities of achieving alternative outcomes (costs, benefits, and/or net benefits), given the uncertainty in the underlying parameters.

In addition, the quality of a cost-benefit analysis is dependent on the quality of the cost assessments on which it is based. However, the cost estimate associated with the June 2005 cost-benefit analysis for the three exit solutions (Increment 1B) did not meet key criteria for reliable cost estimating. For example, it did not include a detailed work breakdown structure. A work breakdown structure serves to organize and define the work to be performed, so that associated costs can be identified and estimated. Thus, it provides a reliable basis for ensuring that the estimates include all relevant costs.

Program officials stated that they recognize the importance of developing reliable cost estimates and have initiated actions to more reliably estimate the costs of future increments. For example, the program has chartered a cost analysis process action team, which is to develop, document, and implement a cost analysis policy, process, and plan for the program. Program officials also stated that they have hired additional contracting staff with cost-estimating experience.

Strengthening the program's cost-estimating capability is extremely important. The absence of reliable cost estimates impedes, among other things, both the development of reliable economic justification for program decisions and the effective measurement of performance.

ANALYSIS OF PROGRAM IMPACTS AND OPTIONS IS BEING PERFORMED

Program decisions and planning depend on adequate analyses and assessments of program impacts and options. The department has begun to develop such analyses, but some of these, such as its analyses of the operational impact of Increment 2B and of the options for its exit capability, do not yet provide an adequate basis for investment and deployment decisions.

We reported in May 2004 that the program had not assessed its workforce and facility needs for Increment 2B (which provides the capability for electronic collection of traveler information at land ports of entry). Because of this, we questioned the validity of the program's assumptions and plans concerning workforce and facilities, since the program lacked a basis for determining whether its assumptions were correct and thus whether its plans were adequate. Accordingly, we recommended that DHS assess the full impact of Increment 2B on workforce levels and facilities at land ports of entry, including performing appropriate modeling exercises.

Seven months later, the program office evaluated Increment 2B operational performance, with the stated purpose of determining the effectiveness of Increment 2B performance at the 50 busiest land ports of entry. For this evaluation, the program office established a baseline for comparing the average times to issue and process entry/exit forms at 3 of these 50 ports of entry. The program office then conducted two evaluations of the processing times at the three ports, first after Increment 2B was deployed as a pilot, and next 3 months later, after it was deployed to all 50 ports of entry. The evaluation results showed that the average processing times decreased for all three sites. Program officials concluded that these results supported their workforce and facilities planning assumptions that no additional staff was required to support deployment of Increment 2B and that minimal modifications were required at the facilities.[23]

However, the scope of the evaluations is not sufficient to satisfy the evaluations' stated purpose or our recommendation for assessing the full impact of 2B. For example, the selection of the three sites, according to program officials, was based on a number of factors, including whether the sites already had sufficient staff to support the pilot. Selecting sites based on this factor could affect the results, and it presupposes that not all ports of entry have the staff needed to support 2B. In addition, evaluation conditions were not always held constant: specifically, fewer workstations were used to process travelers in establishing the baseline processing times at two of the ports of entry than were used during the pilot evaluations.

Moreover, CBP officials from a land port of entry that was not an evaluation site (San Ysidro) told us that US VISIT deployment has not reduced but actually lengthened processing times. (San Ysidro processes the highest volume of travelers of all land ports of entry.) Although these officials did not provide specific data to support their statement, their perception nevertheless raises questions about the potential impact of Increment 2B on the 47 sites that were not evaluated.

Similarly, in February 2005, we reported that US VISIT had not adequately planned for evaluating the alternatives for Increment 1B (which provides exit capa-

[23] Specifically, they said minimal modifications to interior workspace were required to accommodate biometric capture devices and printers and to install electrical circuits. These officials stated that modifications to existing officer training and interior space were the only changes needed.

bilities at air and sea ports of entry) because the scope and timeline of its exit pilot evaluation were compressed. Accordingly, we recommended that DHS reassess plans for deploying an exit capability to ensure that the scope of the exit pilot provides for adequate evaluation of alternative solutions.

Over the last 11 months, the program office has taken actions to expand the scope and time frames of the pilot. For example, it increased the number of ports of entry in the pilot from 5 to 11, and it also extended the time frame by about 7 months. Further, according to program officials, they were able to achieve the target sample sizes necessary to have a 95 percent confidence level in their results.

Nevertheless, questions remain about whether the exit alternatives have been adequately evaluated to permit selection of the best exit solution for national deployment. For example, one of the criteria against which the alternatives were evaluated was the rate of traveler compliance with US VISIT exit policies (that is, foreign travelers providing information as they exit the United States).[24] However, across the three alternatives, the average compliance with these policies was only 24 percent, which raises questions as to their effectiveness.[25] The evaluation report cites several reasons for the low compliance rate, including that compliance during the pilot was voluntary. The report further concludes that national deployment of the exit solution will not meet the desired compliance rate unless the exit process incorporates an enforcement mechanism, such as not allowing persons to reenter the United States if they do not comply with the exit process. Although an enforcement mechanism might indeed improve compliance, program officials stated that no formal evaluation has been conducted of enforcement mechanisms or their possible effect on compliance. The program director agreed that additional evaluation is needed to assess the impact of implementing potential enforcement mechanisms and plans to do such evaluation.

DHS IS STILL ESTABLISHING NEEDED PROGRAM MANAGEMENT CAPABILITIES

Establishing effective program management capabilities is important to ensure that an organization is going about delivering a program in the right way. Accordingly, we have made recommendations to establish specific people and process management capabilities. While DHS is making progress in implementing many of our recommendations in this area, this progress has often been slow.

One area in which DHS has made good progress is in implementing our recommendations to establish the human capital capabilities necessary to manage US VISIT. In September 2003, we reported that the US VISIT program had not fully staffed or adequately funded its program office or defined specific roles and responsibilities for program office staff. Our prior experience with major acquisitions like US VISIT shows that to be successful, they need, among other things, to have adequate resources, and program staff need to understand what they are to do, how they relate to each other, and how they fit in their organization. In addition, prior research and evaluations of organizations show that effective human capital management can help agencies establish and maintain the workforce they need to accomplish their missions. Accordingly, we recommended that DHS ensure that human capital and financial resources are provided to establish a fully functional and effective program office, and that the department define program office positions, roles, and responsibilities. We also recommended that DHS develop and implement a human capital strategy for the program office that provides for staffing positions with individuals who have the appropriate knowledge, skills, and abilities.

DHS has implemented our recommendation that it define program office positions, roles, and responsibilities, and it has partially completed our two other people-related recommendations. It has filled most of its planned government positions and is on the way to filling the rest, and it has filled all of its planned contractor positions. However, the program completed a workforce analysis in February 2005 and requested additional positions based on the results. Securing these necessary resources will be a continuing challenge.

In addition, as we reported in February 2005, the program office, working with the Office of Personnel Management, developed a draft human capital plan that employed widely accepted human capital planning tools and principles (for example, it included an action plan that identified activities, their proposed completion dates, and the office responsible for the action). In addition, the program office had completed some of the activities in the plan. Since then, the program office has finalized the human capital plan, completed more activities, and formulated plans to com-

[24] The other two evaluation criteria were cost and conduciveness to travel.

[25] Compliance rates were 23 percent for the kiosk, 36 percent for the mobile device, and 26 percent for the validator.

plete others (for example, according to the program office, it has completed an analysis of its workforce to determine diversity trends, retirement and attrition rates, and mission-critical and leadership competency gaps, and it has plans to complete an analysis of workforce data to maintain strategic focus on preserving the skills, knowledge, and leadership abilities required for the US VISIT program's success).

Program officials also said that the reason they have not completed several activities in the plan is that these activities are related to the department's new human capital initiative, MAXHR.[26] Because this initiative is to include the development of departmentwide competencies, program officials told us that it could potentially affect ongoing program activities related to competencies. As a result, these officials said that they are coordinating these activities closely with the department as it develops and implements this new initiative, which is currently being reviewed by the DHS Deputy Secretary.

DHS's progress in implementing our human capital recommendations should help ensure that it has sufficient staff with the right skills and abilities to successfully execute the program. Having such staff has been and will be particularly important in light of the program's more limited progress to date in establishing program management process capabilities. DHS's progress in establishing effective processes governing how program managers and staff are to perform their respective roles and responsibilities has generally been slow. In our experience, weak process management controls typically result in programs falling short of expectations. From September 2003, we have made numerous recommendations aimed at enabling the program to strengthen its process controls in such areas as acquisition management, test management, risk management,[27] configuration management,[28] capacity management,[29] security, privacy, and independent verification and validation (IV&V).[30] DHS has not yet completed the implementation of any of our recommendations in these areas, with one exception. It has ensured that the program office's IV&V contractor was independent of the products and processes that it was verifying and validating, as we recommended. In July 2005, the program office issued a new contract for IV&V services after following steps to ensure the contractor's independence (for example, IV&V contract bidders were to be independent of the development and integration contractors and are prohibited from soliciting, proposing, or being awarded work for the program other than IV&V services). If effectively implemented, these steps should adequately ensure that verification and validation activities are performed in an objective manner, and thus should provide valuable assistance to program managers and decision makers.

In the other management areas, DHS has partially completed or has only begun to address our recommendations, and more remains to be done. For example, DHS has not completed the development and implementation of key acquisition controls. We reported in September 2003[31] that the program office had not defined key acquisition management controls to support the acquisition of US VISIT, increasing the risk that the program would not satisfy system requirements or meet benefit expectations on time and within budget. Accordingly, we recommended that DHS develop and implement a plan for satisfying key acquisition management controls in accordance with best practices.[32]

---

[26] This initiative is to provide greater flexibility and accountability in the way employees are paid, developed, evaluated, afforded due process, and represented by labor organizations.

[27] Risk management is a process for identifying potential problems before they occur so that they can be mitigated to minimize any adverse impact.

[28] Configuration management is a process for establishing and maintaining the integrity of the products throughout their life cycle.

[29] Capacity management is intended to ensure that systems are properly designed and configured for efficient performance and have sufficient processing and storage capacity for current, future, and unpredictable workload requirements.

[30] The purpose of IV&V is to provide management with objective insight into the program's processes and associated work products. Its use is a recognized best practice for large and complex system development and acquisition projects like US VISIT.

[31] GAO, Homeland Security: Risks Facing Key Border and Transportation Security Program Need to Be Addressed, GAO–03–1083 (Washington, DC: Sept. 19, 2003).

[32] Specifically, we recommended that DHS follow guidance from Carnegie Mellon University's Software Engineering Institute (SEI), which has developed the Software Acquisition Capability Maturity Model (SA-CMM®). This model explicitly defines process management controls that are recognized hallmarks of successful organizations and that, if implemented effectively, can greatly increase the chances of successfully acquiring software-intensive systems. The SA-CMM uses maturity levels to assess process maturity. See Carnegie Mellon Software Engineering Institute, Software Acquisition Capability Maturity Model, version 1.03 (March 2002). Since we made our recommendation, however, SEI has begun transitioning to an integrated model and for its improvement program, the program office is using this integrated model: SEI, Capability

Continued

The program office has recently taken steps to lay the foundation for establishing key acquisition management controls. For example, it has developed a process improvement plan to define and implement these controls that includes a governance structure for overseeing improvement activities. In addition, the program office has recently completed a self-assessment of its acquisition process maturity, and it plans to use the assessment results to establish a baseline of its acquisition process maturity as a benchmark for improvement. According to program officials, the assessment included key process areas that are generally consistent with the process areas cited in our recommendation. The program has ranked these process areas and plans to focus on those with highest priority. (Some of these high-priority process areas are also areas in which we have made recommendations, such as configuration management and risk management.)

The improvement plan is currently being updated to reflect the results of the baseline assessment and to include a work breakdown structure, process prioritization, and resource estimates. According to a program official, the goal is to conduct a formal appraisal to assess the capability level of some or all of the high-priority process areas by October 2006.

These recent steps provide a foundation for progress, but fully and effectively implementing key acquisition management controls takes considerable time, and DHS is still in the early stages of the process.

Therefore, it is important that these improvement efforts stay on track. Until these controls are effectively implemented, US VISIT will be at risk of not delivering promised capabilities on time and within budget.

Another management area of high importance to a complex program like US VISIT is test management. The purpose of system testing is to identify and correct system defects before the system is deployed. To be effective, testing activities should be planned and implemented in a structured and disciplined fashion. Among other things, this includes developing effective test plans to guide the testing activities and ensuring that test plans are developed and approved before test execution.

In this area also, DHS's progress responding to our recommendation has been limited. We reported in May 2004, and again in February 2005, that system testing was not based on well-defined test plans, and thus the quality of testing being performed was at risk. Because DHS test plans were not sufficiently well-defined to be effective, we recommended that before testing begins, DHS develop and approve test plans that meet the criteria that relevant systems development guidance prescribes for effective test plans: namely, that they (1) specify the test environment; (2) describe each test to be performed, including test controls, inputs, and expected outputs; (3) define the test procedures to be followed in conducting the tests; and (4) provide traceability between the test cases and the requirements to be verified by the testing.

About 20 months later, the quality of the system test plans, and thus system testing, is still a challenge. To the program's credit, the test plans for the Proof of Concept for Increment 2C, dated June 28, 2005 (which introduces RF technology to automatically record the entry and exit of covered individuals), satisfied part of our recommendation. Specifically, the test plan for this increment was approved on June 30, 2005, before testing began (according to program officials, it began on July 5, 2005). Further, the test plan described, for example, the scope, complexity, and completeness of the test environment; it described the tests to be performed, including a high-level description of controls, inputs, and outputs; and it identified the test procedures to be performed.

However, the test plan did not adequately trace between test cases and the requirements to be verified by testing. For example, about 70 percent of the requirements that we analyzed did not have specific references to test cases. Further, we identified traceability inconsistencies, such as one requirement that was mapped to over 50 test cases, even though none of the 50 cases referenced the requirement.

Time and resource constraints were identified as the reasons that test plans have not been complete. Specifically, program officials stated that milestones do not permit existing testing/quality personnel the time required to adequately review testing documents.[33] According to these officials, even when the start of testing activities is delayed because, for example, requirements definition or product development takes longer than anticipated, testing milestones are not extended.

Without complete test plans, the program does not have adequate assurance that the system is being fully tested, and thus unnecessarily assumes the risk of system

---

Maturity Model Integrated, Systems Engineering Integrated Product and Process Development, Continuous Representation, version 1.1 (March 2002).

[33] The Systems Assurance Manager stated that she has only two staff, including herself, for ensuring testing quality of the US VISIT composite system.

defects not being detected and addressed before the system is deployed. This means that the system may not perform as intended when deployed, and defects will not be addressed until late in the systems development cycle, when they are more difficult and time-consuming to fix. This has in fact happened already: postdeployment system interface problems surfaced for Increment 1, and manual work-arounds had to be implemented after the system was deployed.

Until process management weaknesses such as these are addressed, the program will continue to be overly dependent on the exceptional performance of individuals to produce results. Such dependence increases the risk of the US VISIT program falling short of expectations.

DHS HAS YET TO FULLY ESTABLISH PROGRAM ACCOUNTABILITY MECHANISMS

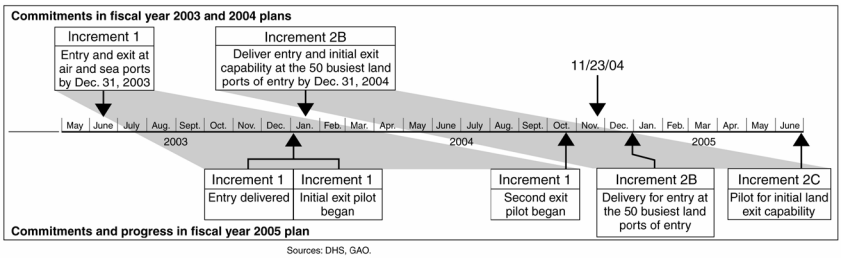
To better ensure that US VISIT and DHS meet expectations, we made recommendations related to measuring and disclosing progress against program commitments. Thus far, such performance and accountability mechanisms have yet to be fully established. Measurements of the operational performance of the system are necessary to ensure that the system adequately supports mission operations, and measurements of program progress and outcomes are important for demonstrating that the program is on track and is producing results. Without such measurements, program performance and accountability can suffer.

As we reported in September 2003, the operational performance of initial system increments was largely dependent on the performance of existing systems that were to be interfaced to create these increments. For example, we said that the performance of an increment would be constrained by the availability and downtime of the existing systems, some of which had known problems in these areas. Accordingly, we recommended that DHS define performance standards for each increment that are measurable and that reflect the limitations imposed by this reliance on existing systems. In February 2005, we reported that several technical performance standards for increments 1 and 2B had been defined, but that it was not clear that these standards reflected the limitations imposed by the reliance on existing systems. Since then, the program office has defined certain other technical performance standards for the next increment (Increment 2C, Phase 1), including standards for availability. Consistent with what we reported, the functional requirements document states that these performance standards are largely dependent upon those of the current systems, and for system availability, it sets an aggregated availability standard for Increment 2C components. However, the document does not contain sufficient information for a determination of whether these performance standards actually reflect the limitations imposed by reliance on existing systems. Unless the program defines performance standards that do this, it will be unable to identify and effectively address performance shortfalls.

Similarly, as we observed in June 2003, to permit meaningful program oversight, it is important that expenditure plans describe how well DHS is progressing against the commitments made in prior expenditure plans. The expenditure plan for fiscal year 2005 (the fourth US VISIT expenditure plan) does not describe progress against commitments made in the previous plans. For example, according to the fiscal year 2004 plan, US VISIT was to analyze, field test, and begin deploying alternative approaches for capturing biometrics during the exit process. However, according to the fiscal year 2005 plan, US VISIT was to expand its exit pilot sites during the summer and fall of 2004, and it would not deploy the exit solution until fiscal year 2005. The plan does not explain the reason for this change from its previous commitment nor its potential impact. Nor does it describe the status of the exit pilot testing or deployment, such as whether the program has met its target schedule or whether the schedule has slipped.

Additionally, the fiscal year 2004 plan stated that $45 million in fiscal year 2004 was to be used for exit activities. However, in the fiscal year 2005 plan, the figure for exit activities was $73 million in fiscal year 2004 funds. The plan does not highlight this difference or address the reason for the change in amounts. Also, although the fiscal year 2005 expenditure plan includes benefits stated in the fiscal year 2004 plan, it does not describe progress in addressing those benefits, even though in the earlier plan, US VISIT stated that it was developing metrics for measuring the projected benefits, including baselines by which progress could be assessed. The fiscal year 2005 plan again states that performance measures are under development.

Figure 1 provides our analysis of the commitments made in the fiscal year 2003 and 2004 plans, compared with progress reported and planned in February 2005.



Sources: DHS, GAO.

FIGURE 1. Time Line Comparing Commitments Made in the US VISIT Fiscal Year 2003 and 2004 Plans with Commitments and Reported Progress in the Fiscal Year 2005 Plan

The deployment of an exit capability, an important aspect of the program that was to result from the exit pilots shown in the figure, further illustrates missed commitments that need to be reflected in the next expenditure plan. In the fiscal year 2005 expenditure plan, the program committed to deploying an exit capability to air and sea ports of entry by September 30, 2005. Although US VISIT has completed its evaluation of exit solutions at 11 pilot sites (9 airports and 2 seaports), no decision has yet been made on when an exit capability will be deployed. According to program officials, deployment to further sites would take at least 6 months from the time of the decision. This means that the program office will not meet its commitment.

Another accountability mechanism that we recommended in May 2004 is for the program to develop a plan, including explicit tasks and milestones, for implementing all our open recommendations, and report on progress, including reasons for delays, both to department leadership (the DHS Secretary and Under Secretary) in periodic reports and to the Congress in all future expenditure plans. The department has taken action to address this recommendation, but the initial report does not disclose enough information for a complete assessment of progress. The program office did assign responsibility to specific individuals for preparing the implementation plan, and it developed a report identifying the person responsible for each recommendation and summarizing progress. This report was provided for the first time to the DHS Deputy Secretary on October 3, 2005, and the program office plans to forward subsequent reports every 6 months. However, some of the report's progress descriptions are inconsistent with our assessment. For example, the report states that the impact of Increment 2B on workforce levels and facilities at land ports of entry has been fully assessed. However, as mentioned earlier, evaluation conditions were not always held constant—that is, fewer workstations were used to process travelers in establishing the baseline processing times at two of the ports of entry than were used during the pilot evaluations.

In addition, the report does not specifically describe progress against most of our recommendations. For example, we recommended that the program reassess plans for deploying an exit capability to ensure that the scope of the exit pilot provides for adequate evaluation of alternative solutions. With regard to the exit evaluation, the report states that the program office has completed exit testing and has forwarded the exit evaluation report to the Deputy Secretary for a decision. However, it does not state whether the program office had expanded the scope or time frames of the pilot.

In closing, I would emphasize that the program has met many of the demanding requirements in law for deployment of an entry-exit system, owing, in large part, to the hard work and dedication of the program office and its contractors, as well as the close oversight and direction of the House and Senate Appropriations Committees. Nevertheless, core capabilities, such as exit, have yet to be established and implemented, and fundamental questions about the program's fit within the larger homeland security context and its return on investment remain unanswered. Moreover, the program is overdue in establishing the means to effectively manage the delivery of future capabilities. The longer the program proceeds without these, the greater the risk that the program will not meet its commitments.

Measuring and disclosing the extent to which these commitments are being met are also essential to holding the department accountable, and thus are an integral aspect of effective program management. Our recommendations provide a comprehensive framework for addressing each of these important areas and thus ensuring that the program as defined is the right solution, that delivery of this solution

is being managed in the right way, and that accountability for both is in place. We look forward to continuing to work constructively with the program to better ensure the program's success.

Mr. Chairman, this concludes my statement. I would be happy to answer any questions that you or members of the committee may have at this time.

US VISIT STRATEGIC PLAN

Senator GREGG. Thank you, Mr. Hite. Let us pick up where you have sort of laid some groundwork issues here. Mr. Williams, why has the Department not accepted your strategic plan at the Department level? Do you know or can you speak to that?

Mr. WILLIAMS. We have had discussions with the Department about this and we are still working with them to essentially vet our plan. In the meantime, we have been using this plan, our strategic vision for an immigration and border management enterprise, to guide our increments, so we are using it today and we believe as we have had discussions with departmental officials that we are in concert with their overall vision.

Senator GREGG. Do you expect them as part of their border security initiative which Secretary Chertoff talked about 2 weeks ago, where he was taking the lead clearly from this committee—I am just saying that as an aside—do you expect them to pick up your plan and integrate it into that?

Mr. WILLIAMS. Well, as the Department is trying to prepare a comprehensive plan for the borders, including things like the Secure Border Initiative and US VISIT, we hope that we become a part of that finalized vision. But again, we are working with them with it. But we are using it today because as we have had discussions we believe we are on the right track.

Senator GREGG. Well, I think that is what Mr. Hite said. He said you have got a good plan, but it has not been accepted yet at the higher level, therefore it is subject to change. We went through this with the FBI and I chaired the subcommittee which had jurisdiction over the FBI when they tried to do Trilogy the first time, the second time, the third time. Each time it did not work because the leadership had not gotten the strategic plan together, and so the thing kept changing all the time. I am concerned about that happening here.

So I guess we will just have to ask Mr. Chertoff, Secretary Chertoff, where we are going with that.

GOVERNMENT-WIDE INTEROPERABILITY

You mentioned, Mr. Williams, that there are a series of agencies which you integrate with on the biometric side and on the intelligence side, I presume. How many different agencies are there independent of HSA?

Mr. WILLIAMS. Independent of DHS?

Senator GREGG. DHS.

Mr. WILLIAMS. Well, first I would like to say that within DHS we integrate across many different components of DHS, including Citizenship and Immigration Services, Immigration and Customs Enforcement, Customs and Border Protection, and even doing work with TSA and others.

Beyond that, we work very closely with Department of State and in our very first increment we integrated with Department of

State's CCD, or Consular Consolidated Database, and the result of that meant that for the first time when the officers actually scanned a passport or visa, say at Dulles Airport, what popped up on their screen was the photo that the State Department took when that person applied for a visa. We continue to work on integration with the State Department.

With the FBI, we have an executive committee that myself, Tom Bush of the FBI, and Tony Edson, State chair, where we are working together on interoperability between IAFIS and IDENT, and we are very proud of the collegial relationship and what we have accomplished so far and we are developing plans for full operational capability and flow interoperability of IAFIS and IDENT. We also recently have had many discussions also with the Department of Defense about what they are doing in the area of biometrics, and those discussions actually took place, I believe it was, last week, we went out to Clarksburg, West Virginia, had a session hosted by the FBI, and had a great discussion between the FBI, DOD, and US VISIT.

Senator GREGG. How about the new intelligence director?

Mr. WILLIAMS. Actually, we work very closely with Charlie Allen, our Chief Intelligence Officer. In fact, I met with him yesterday morning to brief him on what we are doing and how we can make sure that as we receive information from other agencies, biometric information, we can work together with his intelligence analysts and make sure that he gets the information he needs to do his job; because we are both somebody who provides, and information that is provided to us, we can run that information against our enrolled database.

Just to give you an example of how this can work, we had a person last year who was an Iraqi capture who then escaped, but DOD had taken his fingerprints. That person then went and left Iraq after he escaped. Those prints came from DOD to the FBI to us. That person applied for a visa at the State Department, where it hit. So we are working across the immigration border management spectrum with the intelligence, with the law enforcement and the immigration border management agencies.

BIOMETRIC WATCHLIST

Senator GREGG. Does the information that they develop at the Counterterrorism Center that's been set up—it used to be called NCTC; I can never remember what the new name is—is that information integrated, too?

Mr. WILLIAMS. Yes. As a person, or a biographic, or biometric information is promoted to the National Counterterrorism Center to become a known or suspected terrorist, a KST, that biometric then is labeled as such by the FBI and they provide us daily updates on those KSTs, that we then load into our Lookout system.

Senator GREGG. So if you are a CBP officer or a border person at a port of entry, air entry—I understand land is still coming up—walk us through what happens?

Mr. WILLIAMS. Sure. When that plane leaves, that information—name, date of birth, other information—is sent electronically and that is checked against a biometric watch list while that person is on the plane. So when that person arrives at Dulles Airport and

that passport or visa is first swiped, if that biographic has been a hit against a terrorism watch list, then biographically it would be a red flag as soon as it pops up on the screen.

A person subject to US VISIT would be asked to put down their digital finger scans, left, right index finger first—later on, it will be ten prints—take a digital photo. After the officer presses "Send" while they are still interviewing the person, within about 6 to 10 seconds there is a response back—is that a biometric hit against our watch list? In our watch list we have—again, this is updated daily. We get known or suspected terrorists, we get the FBI's wants and warrants of foreign-born, unknown country of origin, child predators foreign-born, and unknown country of origin. We also add in fingerprints from DHS, deported felons, and recidivists, people who keep trying to come across the border.

That makes up our biometric watch list. When that 6 to 10 seconds happens, that watch list is checked and the screen in front of the officer is either blinking green, meaning it is not a hit, or it is blinking red, it is a hit.

Senator GREGG. Now, if the person were to fly in to Vancouver and get in a car and drive in to Spokane or someplace—what is the crossing point?

Senator MURRAY. Blaine.

Senator GREGG. Blaine. I would love to visit it. I am sure it is beautiful.

What is the status? You do not have the preliminary information coming out of Vancouver on the flight when they come into Vancouver, right?

Mr. WILLIAMS. No. But if the person is driving across the land border coming into the United States at Blaine, if that person is subject to US VISIT, which means they have a visa—there are some restrictions, but generally—if they are coming from anywhere in the world with a non-immigrant visa or they are under the visa waiver program, they go into secondary processing. They are not processed at primary.

At secondary processing they would be subject to the US VISIT program. Now, the majority of people at land borders are processed through primary and that includes U.S. citizens, permanent residents, Canadian citizens, and Mexicans with border crossing cards. Those people today are not included under US VISIT.

EXIT CAPABILITY AT LAND PORTS OF ENTRY

Senator GREGG. There are a bunch of other questions I have. I especially want to get into this exit issue because I do not think there is much point in having this program unless we know who is leaving as well as who is coming in. But I do want to give my colleagues the opportunity to go.

Senator Byrd.

Senator BYRD. Mr. Williams, in response to a question for the record from a March 30, 2004, hearing, I asked "What would be the physical impact of the exit capability at our land border ports of entry? Would there be a need for new construction, procurement of land, building of additional roads, and so forth?"

The response I was provided was that it depends on the solution that was ultimately deployed. I was also told that that decision

would not be made until after the prime integrator contract was awarded in mid-fiscal year 2004 and the integrator offers a more comprehensive solution.

Well, now we are in the second quarter of fiscal year 2006. Are we any closer to knowing what the need will be for additional facilities construction, outbound lanes or staffing?

Mr. WILLIAMS. First of all, ranking member Byrd, I would like to say that your message on interoperability between the databases is message received. We are working very hard on that. I will say that you have outlined some of our toughest challenges today, such as going forward integration, further integration of databases, but exit, in particular at land borders, is probably one of our toughest challenges in terms of coverage.

We looked at this several years ago in terms of if we wanted to take all of the 700-plus lanes coming into the country and mirror image replace those with the same infrastructure, land acquisition, it would probably be over $3 billion. But more so than that, you have given us a mandate to implement a biometric entry-exit system, but also do it in a way that does not adversely impact legitimate trade and travel.

We have people leaving the United States today in cars, buses, bicycles, and on foot, and generally they are people who just drive out of the country, drive at say 40, and 50 miles an hour in some places. What we are trying to do is look at, instead of building a solution that says we mirror image entry, where we stop everybody at a facility, an infrastructure, before leaving, trying to look at a way to collect that information about people leaving. We are only testing the technology today.

One of the things we are testing at Blaine is could we use RFID, toll booth-like technology, that would then collect the information that the person left the country, without adversely impacting legitimate travel and trade. So we are trying to deal or come up with a solution that works within the constraints that have been handed us. Exit is difficult both at land and air and sea because we are different from other countries; we have not built the infrastructure and put in place at either airports, seaports, or at our land border, crossings that would stop people and make them go through a passport control type system like they do in many other countries. So we are trying to deal with the constraint of trying to make sure we preserve our economic prosperity, but at the same time meet the mandate that you have given us to have an exit system.

2006 FUNDING LEVEL

Senator BYRD. Does the President's budget really meet the needs?

Mr. WILLIAMS. The President's—does it meet the needs? The President's budget for fiscal year 2006, he requested $390 million for our program. We wish we had received that. That is what we thought we needed.

Senator BYRD. Would you say that again?

Mr. WILLIAMS. The President requested for US VISIT for fiscal year 2006 $390 million and that is what we said we needed and we wish we had received that amount. We received less.

Senator BYRD. How much less?

Mr. WILLIAMS. I believe we are about $340 million right now.

Let me tell you my concern there. Congress in the Intelligence Reform and Terrorism Prevention Act, following up on the 9/11 Commission, gave us a mandate to accelerate the biometric entry-exit system and I think we have made great progress in meeting our commitments to Congress and we want to continue to do so. As we deploy capabilities, we have to pay for the operations and maintenance of that, and those operations and maintenance as we deploy more capabilities become a larger part of our annual budget, which then leaves less money for new investments in additional capabilities or in fact to accelerate the program.

Senator BYRD. Well, does the budget request reflect the needs?

Mr. WILLIAMS. Yes, sir. The budget request for $390 million, we provided a justification for how we would spend that money and what investments, what benefits, would come from that.

Senator BYRD. So the President's budget request accurately reflects your needs?

Mr. WILLIAMS. Yes, sir.

Senator BYRD. There is nothing in the 2006 request for the exit capability.

Mr. WILLIAMS. We actually had in the 2006—in the 2005 request we had the additional money that we were going to use to further deploy exit at air and seaports. For exit at land we did have money in the 2006 request to continue the testing of the RFID technology, a solution we think is promising for exit at land borders.

2007 FUNDING LEVEL

Senator BYRD. What about the 2007 budget? Will it reflect the needs? There is nothing in your 2006 request for the exit capability. Are we clear on what the 2007 budget will provide?

Mr. WILLIAMS. Well, we have not submitted the—we have not submitted the fiscal year 2007 budget. We are currently working that with DHS.

Senator BYRD. So what do you think here? What can we do to help here?

Mr. WILLIAMS. Well, I think it would help to have us be given the money the President requested. Certainly we know you want to continue to provide support to us in terms of the money, the resources, and the direction that you have provided that helps us get the job done. Your support is invaluable to getting momentum across the Federal agencies to get this job done. While we have great partnerships right now with many agencies, it always helps to know that this is important to you all, important in terms of giving us the support and the resources we need to get the job done.

Senator BYRD. Well, you have appealed for us to meet the President's request. Did he meet your request?

Mr. WILLIAMS. The President's budget reflected what we thought we needed for fiscal year 2006.

Senator BYRD. Fully?

Mr. WILLIAMS. Well, we are trying to undertake this program understanding it is a matter of national urgency——

Senator BYRD. The answer is no?

Mr. WILLIAMS. We are trying to take a measured approach to do this. Giving us all the money at one time does not mean that we

can do all of this quickly. We have to be able to do this, as Mr. Hite said, in a way that makes sure we can manage it well. This is millions of dollars of taxpayers' money. We want to make sure that we manage it well and deliver our commitments that we have made to you. And too much money simply is money that we would just sit there with it, because we want to make sure that we get this right.

Senator BYRD. You did not answer my question. I have heard that business about too much money so many times from this administration. When I have sought to increase the amounts of money, I get the "too much money, we have too much money, we have enough money already to do this and to do that and to do this and to do that."

EXIT CAPABILITY AT AIR AND SEAPORTS OF ENTRY

Well, let me ask you, Mr. Hite. In your testimony you noted that the fiscal year 2005 US VISIT spend plan, which the Congress approved almost a year ago, committed to deploying an exit capability to air and seaports of entry by September 30, 2005. Yet your testimony further states: "No decision has been made about when an exit capability will be deployed. According to program officials, deployment to further sites would take at least 6 months from the time of the decision."

In your evaluation of the airport and seaport environment, is it better to deploy a limited, if not final, exit capability or is it wiser to wait for what the US VISIT program office determines is the ultimate solution? What is your answer?

Mr. HITE. It would be my position that they should wait to have the credible analysis to make an informed decision about what solution is going to best accomplish the end goal. What they have pilot tested thus far at the land borders and at the air and sea borders has demonstrated that those solutions are not viable options. The air and sea, for example, there was a very low compliance rate on the part of those exiting the country, and certainly there is a tremendous amount of issues with the land borders surrounding the use of RFID and what that will actually tell you because it does not track an individual, it tracks a document, and even then it does not necessarily—depending on the number of documents, depending on the placement of those documents in a vehicle or on an individual, it does not necessarily read them all.

Senator BYRD. Thank you, Mr. Chairman.

Senator GREGG. Thank you, Senator.

Senator BYRD. Thank you.

Senator GREGG. We go back and forth here. Senator Stevens.

Senator STEVENS. No.

Senator GREGG. Senator Murray.

STATEMENT OF SENATOR PATTY MURRAY

Senator MURRAY. Mr. Chairman, thank you, and to you, Senator Byrd, for holding this very important hearing today.

As Mr. Williams knows very well, my State poses some very significant challenges for those of us who want to make sure that we ensure security but do not impede the flow of legitimate travel and commerce across our border, which is very important in my State.

We have one of the busiest border stations in the entire country along our northern border. We have an airport that serves as a gateway to Asia. We have cruise terminals that served nearly a million passengers and we have three international ferry terminals.

We also have the distinction, of course, of apprehending Ahmad Rassam back in 1999, the first suspected al-Qaeda terrorist. We were lucky at that time that an alert Border Patrol agent noticed Rassam when he visited and arrived by ferry from Canada.

So today US VISIT is making it easier for us to catch these people who are attempting to enter our country. I know and my citizens know that this is a very important program, it is important to our safety, and our security, and our community. So you should be very proud of your accomplishments so far.

That being said, I want to echo some of the comments that have been made. We have to ensure that the biometric screening is interoperable with the FBI as soon as possible, and you addressed that. We all know that in order to have a fully functioning system the exit portion of this program has to be implemented as well. So I share those concerns.

WESTERN HEMISPHERE TRAVEL INITIATIVE

Mr. Williams, while you are here I did want to ask you about another issue that is of great concern to me and that is the Western Hemisphere Travel Initiative, and specifically the passport requirement for travel between the United States and Canada. We are all aware Secretaries Chertoff and Rice announced their intention to establish this new PASS card last week to be used at land border crossings in lieu of the passport, but that announcement really did not serve to answer a lot of the looming questions and we have frankly been getting a lot more since that announcement.

I know, Mr. Williams, this is not your program to implement, but you are part of the interdepartmental working group that is tasked with the implementation of that, and you need to know that this is a major concern of my border communities and it is really a growing concern within the tourism and business communities on both sides of our border. This program has the potential to severely impact communities along the northern border by impeding legitimate cross-border commerce and travel between the United States and Canada, which is precisely what you have worked so hard to avoid with the US VISIT.

There is already evidence that the passport requirement is impacting our cross-border tourism simply because the rules and implementation dates haven't been clear to our average citizens. I think you know that our State has a very robust tourism industry that has historically depended on fluid cross-border travel. I would just like to take this opportunity to encourage you as a member of that interdepartmental working group to work closer with our local communities so we can address their concerns. I would even suggest perhaps establishing an official advisory group made up of some of our elected, business and community leaders from that area.

I would really ask that you ensure that the Department consider the adverse economic impact of new passport regulations and allow

adequate time for travelers to be notified and require the additional documentation if that is what is determined. And I would ask that you would consider delaying the air and sea travel deadline and applying a uniform date for implementing the new documentation requirements for all travel, land, air, and sea, and would really appreciate your attention to this because, as you can imagine, this is a very, very concerning issue to a lot of our business leaders in the State of Washington.

We all want the security. You have done a good job with US VISIT. We want to make sure we do not do something that does not increase security, but instead really harms our economy and the tourism industry and the business industries that will be impacted by that.

LAND BORDER CROSSING INITIATIVES

Mr. WILLIAMS. If you would like, I would be glad to comment on some of the work we are doing there, trying to bring together the requirements in law of the Western Hemisphere Travel Initiative; as well as the Security and Prosperity Partnership that was signed by President Bush, President Fox, and then Prime Minister Martin last March; as well as the Rice-Chertoff joint vision, looking at the challenges of the land border.

One of the things, Senator, that I think would be helpful is to stop what seems to be negative effects already when the requirement is not until, for the land borders, until January 1, 2008. There are some misperceptions that a passport is required now; and what ought to be clear is for the land borders, it is January 1, 2008, and that the law says a passport or other accepted travel document.

What Secretaries Rice and Chertoff announced is a PASS card, People Access Security Service, a card that could be used in lieu of a passport, especially for those frequent land border crossers. What we are trying to do is, being very sensitive to the economic impacts and we know that between United States and Canada about $1.4 billion a day crosses that border, is how do we enhance security and at the same time facilitate legitimate travel and trade? If we can put a low-cost wallet-size PASS card in the hands of those frequent crossers, that then uses 21st century technology, that would allow that information to be read ahead of time, put that information on the screen, we can accomplish three objectives that we do not do today at the land border.

Number one, we would get advance information about that person, that would allow for a better security decision and hopefully a faster processing.

Number two, we could actually record their entry, which we don't do today for many people. We do not know, for example, with a border crossing card—all those people are inspected and their biometrics are taken at issuance, but generally when they come into the country there is not a record today that they entered. We know that often good people who enter, become bad people. So we want to be able to preposition the information on the officer's screen, have advance information, number one. Number two, we want to record their entry.

Number three, what we are looking for in the future is could we take that advance information and within a few seconds check it against a watch list, so we give greater confidence to the officer who has to interview that person or inspect that person to say: All right, I already know who this person is, I know they are not on a watch list. That should speed up the processing of good people. It is just good risk management. That is what we are trying to put in place, is a low-cost, secure, 21st century card that would meet both the security and economic needs of your community.

LAND BORDER CROSSING REQUIREMENTS

Senator MURRAY. Well, I appreciate that, but there are different dates. Ferries, for example, is implemented 2007, land 2008. So people in my State already assume that you have to have a passport and they are saying, never mind, I am not going, I do not have one; now, do I need that one or do I need this PASS card, and do I have to buy that? The confusion alone.

So I would really encourage you to sit down with business leaders there, who are feeling a tremendous impact from all of the different dates, different cards, different ideas that have come out.

Mr. WILLIAMS. We do believe that one of the keys to our success where we are implementing change for human beings is communication. We know you can never communicate enough, but we try to do extensive outreach, particularly in your community, where we are doing testing right now. But I think we need the support of everybody, the Congress, the administration, even the media, to correctly communicate what it is that the requirements are—they are not until January 1, 2008—and what we are trying to do.

Senator MURRAY. For the ferries it is 2007, and a lot of the people, cross-border travel, go by ferry.

Mr. WILLIAMS. And they believe today that they have to have a passport, and that is not the requirement today. So again, we need to communicate what is the requirement. We had a lot of these misperceptions about US VISIT before we started, people saying we were going to shut down the borders, shut down the economy. In fact, what we are trying to do is build out a 21st century immigration and border management system that meets our needs.

I look at some of your crossings and, frankly, when I look at them I look at them as economic chokepoints, when you see cars and trucks waiting to come to the United States to do business, you see family. We want those people to come and we ought to be able to use better technology and better business processes to enhance our security and our economic prosperity.

LAND BORDER CROSSING CHALLENGES

Senator MURRAY. Well, are you concerned that adding millions of daily passport checks is going to slow down legitimate travel?

Mr. WILLIAMS. As I said, one of our mandates is to do no harm, to not adversely impact the economy. That is why we test, test, test to make sure we get it right. That is a concern always to us, that we do not want to add even seconds to people's time, because for many of our very busy land border crossings we know through queuing theory that if you add a few seconds to each person you

are going to add hours to that last person in line and then discourage them from coming.

Senator MURRAY. Mr. Chairman, in my State we have kids who live in Point Roberts who have to travel into Canada every day to come back down into school to go to school in Washington State. If they get backed up in a long line, that is a huge impact. Plus, we have thousands of trucks that travel across our border with goods.

It is a real challenge in our State. But let me just go back and make one really important point. Ferries is 2007, land is 2008. So there is a legitimate business concern by our ferries, many of them private businesses, that people will not use ferries and we are going to jam up the lines even more on the land crossings because of that. One date for everybody would really make a huge difference and I would encourage you to consider that.

Mr. WILLIAMS. I will take that message back, Senator.

Senator MURRAY. Thank you.

Thank you very much, Mr. Chairman.

Senator GREGG. Thank you.

Senator Stevens said he has something.

STATEMENT OF SENATOR TED STEVENS

Senator STEVENS. Mr. Chairman, I just want to join the Senator from Washington, because we are already getting complaints about the requirement for passports. I believe it is coming from Canada now, anticipating what you might do. I remember when we were a territory we had to have a birth certificate to get back into the United States. We weren't considered to be—although we were citizens, we weren't considered to be acceptable to come through immigration without birth certificates or a passport from Alaska.

We finally worked that out, and now we find that there is just total uncertainty as to what is required. A student will fly outside to—we call it outside; down to the south 48—to go to school and drive back and find out they do not have the documents to allow them, as they stand in line or their car has been in line for an hour or two, they do not have the documents to get through the border, on both sides, both the United States and Canada.

COMMON SET OF REQUIRED BORDER CROSSING DOCUMENTATION

So I want to join the Senator from Washington to say I think you have got to work it out with Canada. The same documents ought to be acceptable on both sides of the border to permanent residents. It is one thing for tourists who are traveling from throughout the world that they should have a passport to come in our country. That is acceptable. But those of us who fly back and forth or drive back and forth, fly one way and drive the other way, it is getting to be very confusing.

I have had emergency calls: How do I get a passport overnight? If we are going to have to have a requirement for passports for land travel, the passport office is going to be overwhelmed by Alaskans and people from the Northwest States that travel back and forth to our State, as well as travel to Canada as the Senator from Washington says. We have people in our State also that have to go through Canada to get home and Canadians that have to come

through our country to get home. We have cross-border situations the same as you do in terms of Washington and the northern States.

But I urge you to get some common approach with Canada so that documents acceptable on one side are going to be acceptable on the other. It does seem to me that this difference between the time frame of putting into effect of land transportation has one requirement, but meanwhile there is another requirement for air transportation and water transportation—particularly the cruise ships. Our own ferries, we have ferries, they stop in Canada, but they go on down to Seattle, and they do that every day, and people are being caught unawares that if they have gotten off in Canada they have to have some different type of documentation when they come into Seattle.

It is not right. I think special attention ought to be paid to the people who live on the northern tier because it is really going to cause a lot of problems this summer, I think, from what we are hearing. I do not know about Washington, but I am sure they must be flooded with the same requests for just overnight help to get passports. It is not possible, as you know, and that delays a lot of people. After they have made plans for months, they suddenly find out there is one thing they did not know and that was they had to have a passport either coming or going through Canada.

So I think whatever you can do to help us eliminate this anxiety right now over being treated differently—deep down inside—people don't like me to say it too often, but we are citizens of the United States that live in Alaska. But we have special treatment now for Alaskans. We have different requirements as we come back into the south 48 than you would have otherwise if you went into Canada from Washington and came back into Washington. I don't think that's fair.

So I hope that you can find some way to stabilize this and get an international agreement on travel through Canada to Alaska.

Mr. WILLIAMS. Well, again, Senator, the requirement is a requirement in law that says passport or other accepted travel document. As part of the Security and Prosperity Partnership, we are working very closely with Canada. We have established a working group. I have a counterpart with the Canada Border Services Agency, Mr. Alons Alacaire, who we meet with frequently, and in fact we have Canadian officials right now, starting yesterday, today and tomorrow, that are meeting in Crystal City on this particular topic.

So we are working closely with Canada, and our goal is just as you stated. We want to be able to harmonize the technology and the business processes so that if you have this card that would facilitate your entry into the United States, you could use that same card going back into Canada, so you could cross from Blaine over to Canada and back and forth, whether United States or Canadian citizen.

HARMONIZED SECURE BORDER DOCUMENTATION—PASS CARD

If we could harmonize on the same type of technology and business processes, we can make it easier for those people who want to cross. But again, the requirement is not for the land borders that you must have a passport today. The requirement in law in

the Intelligence Reform and Terrorism Prevention Act says for the land borders it is January 1, 2008, and it says an other accepted travel document is acceptable. That is what Secretary Rice and Secretary Chertoff announced, is this PASS card we will be working on, to work with Department of State to produce a low-cost, secure card that would make crossing the border more secure and facilitate it, and then work with Canada and Mexico to make sure that we can make something that works across North America in a harmonized fashion.

IMPACT OF BORDER CROSSING SECURITY ON ALASKANS

Senator STEVENS. Well, that is all right and good, but our State is one-fifth the size of the United States. You do not have an office in Alaska. And you say acceptable travel documents. What is wrong with a birth certificate? It used to be acceptable, but it is not acceptable now. So we are going to have to find some way to get people from Holikachuk or Shizref or Nome down to somewhere in Seattle to get a certificate, get a card to enable them to travel down there.

I think you are not waking up to what it is that I am telling you. The circumstances in rural Alaska are much different from anywhere else. They cannot get those cards.

Mr. WILLIAMS. Well, again, we will work with the State Department to make sure they can get the cards.

Talking about a birth certificate, what we are trying to do is make this whole supply chain of identification documents more secure. A customs and border protection officer would have to be familiar with as many as 8,000 different birth certificates and we are not sure that that is the right answer for the future. We think we can produce a secure document that would again facilitate their entry, and we would be glad to local officials in your district, sir—in your State.

Senator STEVENS. I hope you will and I hope you speak to our governor and the state legislature, because they are very much disturbed over what is happening. If you go from Hawaii to the West Coast you do not have to go through a foreign country. If you go from Alaska by land to the south 48, you have to drive through Canada. If you go through on a ferry, you have to go through Canada.

I do not think it is fair to say we would not have an office in our State. But what is more, why can you not set it up so you get it by mail and somehow or other not have to make a personal appearance to get these cards?

Mr. WILLIAMS. The State Department, we are working closely with them on how do we get these cards into the hands of people who need them. They are considering all options and we are discussing that with them, and we will certainly consider that.

Senator STEVENS. Well, as a grandfather of three hockey puck grandchildren, they fly down to the south 48 and they fly back. Sometimes they drive back. Those people, they don't plan in advance to get that card. Somehow or other, you've got to find some way to recognize the problems so Alaskans can travel.

Mr. WILLIAMS. We also know that we have to look at what Secretary Chertoff mentioned as the possibility of a one-day pass to

make it easier for people who are the person, just as you said, who might fly down for one day, even on a whim. How do we help that person, meet our needs and meet their needs? They want to be able to go down on a flight like that, but we also want to make sure we meet the requirements of the law that they have something that provides for the security, because every time we do not do something to provide for the security, as we know, people who want to do us harm study our vulnerabilities. We want to make sure we meet the economic needs of our country to make sure people can travel with a one-day thought, but also make sure we provide adequate security. That is the mission that you have given us, is to accomplish both of those.

So we are looking at not only a PASS card, but other things that we would have to take care of the various populations and how they travel.

Senator STEVENS. Well, why do you not arrange for the travel people to be able to issue temporary cards or something like that, or your exit station as you drive? There is only one road out of Alaska and that is the highway. Why could they not issue some sort of a return pass so they can get back through, not only from the south 48 driving through Canada to come back into Alaska? This idea of having to go and get a special card for those people, you are basically talking about the rest of Americans. They do not even think about this the way we have to. I think you have some up in New England have similar problem.

Senator GREGG. We view Maine as a foreign country. Trying to come through New Hampshire when they are getting to Massachusetts, we basically require them to stop at our liquor stores and buy liquor before they can get into Massachusetts.

Senator STEVENS. Well, I am belaboring it, but we have a tough problem and I think you should find some way to deal with it by getting the people, our travelers, an ordinary contact, the airlines or the ferry system or the exit station on the Alaska Highway. Somehow or other, people ought to be able to satisfy the requirements to get into the contiguous 48 States and get back home without having to find some complicated process of coming to their Senator to get a passport overnight.

Mr. WILLIAMS. We agree and we are considering those ideas right now. We understand the need.

Senator GREGG. I think it is a valid point.

Senator MURRAY. Mr. Chairman, if I could just add to the Senator from Alaska. As you can see, this is causing a tremendous amount of concern out there. It is not just something we can decide from here in Washington, DC. I would really advise you to get an advisory committee made up from business and elected leaders in both my State and Alaska, so you can understand the real impacts.

This is a huge concern. I would just remind all of us that the Vancouver Olympics are coming up very quickly and that is why our businesses are so concerned. This kind of confusion could really have an impact on those visiting.

Thank you, Mr. Chairman.

Senator GREGG. I think the Senators have made an excellent point, especially as it relates to the Alaskan situation.

SOUTHERN BORDER SECURITY REQUIREMENTS

I am wondering, on the southern border they have a pass, a border crossing card. Is my understanding correct that CBP has decided not to integrate that into the database, that basically that card does not get——

Mr. WILLIAMS. The border crossing card which is used by Mexican citizens, it is issued—when people apply at Department of State, it is issued to the 6.8 million Mexican citizens, who use it about 100 million times a year. When that card is issued, their biometrics are taken and checked against our databases. When that person then comes in, there actually is a machine-readable zone on that card, which is swiped most of time at pedestrian.

At vehicle lanes, it is just not practical to take all of the people's cards out of a car and say, let us pull them out and use that card.

Senator GREGG. Yes, that is my point. That is not integrated into US VISIT, is it?

Mr. WILLIAMS. Well, actually the biometrics that were taken at the time of issuance are.

Senator GREGG. But if they do not use the card, so——

Mr. WILLIAMS. But if a person comes in, a border crossing card person, and they are on foot coming in as a pedestrian, we can check their biometrics today. If they are in a vehicle, though, it is more problematic.

Senator GREGG. So that basically there has been a decision made that the overwhelming number of people coming across those borders you cannot really—even though you have got the cards issued, the cards are not being used to track people who are coming into the country if they are coming by car?

Mr. WILLIAMS. We do not generally record their entry today. What we are hoping is as we look at this RFID technology, as many of these border crossing cards were issued 10 years ago are coming up for expiration, we are working with the State Department to try and harmonize all of these cards around technology and business processes, meaning if you could put that RFID technology as part of the border crossing card then at least when that car that maybe has four or five Mexican citizens coming in under the limits of the border crossing card program, we would be able to know who is coming in and record their entry, which we do not do today.

BORDER SECURITY COMPARISON—WASHINGTON STATE VS. MEXICO

Senator GREGG. Well, I guess my point is Washington is having a problem because we are going to require Canadians coming in to have a card or a passport, and yet we have got a card on the southern border and we are not using it and we are allowing a lot of people to come across the border who are not being——

Mr. WILLIAMS. Well, people are inspected when they present their border crossing card.

Senator GREGG. It is done arbitrarily. I mean, they pick out a car, they say, this car.

Mr. WILLIAMS. This [indicating] is the card. They come in and the picture is looked at on the card and compared to the picture of the person in front of them. They might also swipe it and——

Senator GREGG. But not if they are in a car.

Mr. WILLIAMS. Not if they are in a car, generally no. We would shut down the economies if we stopped everybody in a car and said, we have got to check every one of these cards in terms of swiping them and reading them.

Senator GREGG. That is exactly the concern they are having in Washington State.

Mr. WILLIAMS. Yes. But again, if we can take these cards when they are being reissued and incorporate technology in so that when that person is coming, like when you approach a toll booth, that you can read that information and then put it on the screen, that allows you then to know who the person is by putting the picture and the information on the screen and be able to quickly take a look at the person.

But it also allows us to record their entry, which we are not doing today. They are inspected, but there is no recording of their entry.

Senator GREGG. Well, I understand that. But just, I guess it is hard to conceive of how you would do this without actually stopping the car. Let us use E-ZPass as an example. If you are using some sort of E-ZPass system, you are assuming that the person who put that E-ZPass in their window is the same person who is on—who is getting it cleared. I mean, there is no reason that person would not be different.

Mr. WILLIAMS. Well, even in our trusted traveler program on the southern border with Mexico, the SENTRI program is like E-ZPass. Those people, every one of them is stopped. There is still a visual inspection of the person coming in.

HARMONIZATION OF PROPRIETARY DATABASE SYSTEMS

Senator GREGG. Well, it sounds like a technological challenge. Which gets me to a more technical issue which I am interested in, which I think has been raised by GAO, which is the proprietary nature of these different systems is broken out—different Departments have different proprietary systems. How are you managing that? Both GAO and the OIG report had serious concerns.

Mr. WILLIAMS. Well, again, I think we have achieved a lot according to the Congressional mandates. Our first mandate of Congress in the Data Management Improvement Act was to integrate databases, which we did January 5, 2004. We know we have a lot more work to do. What we want to be able to do is what you have told us to do, is essentially to have real-time information available to people, decision makers, across the immigration border management spectrum, whether you are a State Department visa-issuing officer, a CIS adjudication officer, an ICE agent, a CBP officer. All of those people could encounter the same people, and they need to know what happened in all those previous encounters.

We do not do all of the kind of real-time access to information that we need today. For example, if somebody is turned away at a port of entry and then turns around and applies to State for a new visa, State does not always know the action that was taken at a port of entry. What we want to be able to do is build a person-centric view of that person that takes the information from all of

these databases, that can then aggregate the information and present it back to the decision maker in real time.

Senator GREGG. Well, how far are you from doing that?

Mr. WILLIAMS. Well, I think we have made great strides in doing that. But I think also we have a ways to go. Again, there are many examples where we do not provide that kind of easy access, real-time access to the information.

Senator GREGG. What's causing the inability to get there? Is it that these proprietary systems are not integrated or can not be integrated because they are different?

Mr. WILLIAMS. We believe we can do this. It is a function of money, resources, and time. This is what we are shooting for, is to continue to do this.

Senator GREGG. How do you avoid ending up getting locked into one system that is not flexible enough to deal with breakout technology that could significantly improve the system?

Mr. WILLIAMS. Well, what we always try to do is try to follow open standards. In many of the systems that we put in place, we try to follow international standards, because what we are trying to do is we are trying to harmonize, frankly, with the rest of the world. As everybody is in the same battle against terrorism, how do we look at immigration, border management, and biometric systems and build them in a way that we can share?

We are doing the same thing as we meet with industry. We communicate our needs. We do not want proprietary technology because that locks us into something that is not flexible in terms of costs and technology. We want something that is an open standard, where we have competitive choices there.

I will say in terms of the person-centric view we are trying to build out, to further integrate these databases, that was part of the money that we requested in the fiscal year 2006 budget.

Senator GREGG. I want to get to that in a second.

Mr. Hite, how do you evaluate the answers that Mr. Williams gave to the last two points?

Mr. HITE. I guess I would offer this. It is not normally GAO's custom to defend the Executive Branch on something, but they were given a very demanding——

Senator GREGG. Well, please do. We are interested in good feedback and constructive criticism.

Mr. HITE. They were given a very demanding schedule in terms of putting in place the entry-exit capability by certain legislatively defined time frames. As a practical reality, the only way that was going to be accomplished in meeting those time frames was to leverage existing legacy technology, independent systems that weren't developed to common standards and had to be interfaced in order to accomplish what was mandated to be done by a certain point in time.

As a natural consequence of that, what you have now is US VISIT, a system of separate systems, systems that are managed by separate organizational units. I think the criticism that we made and that the IG made around certain aspects of how you manage that system of systems, whether it be security or whether it be configuration management, was recognizing the fact that if you—by virtue of the fact that you had to build from this set of legacy sys-

tems, you need to come up with some way to centralize, give some type of centralized oversight to how this collective set is managed from a configuration standpoint and from a security standpoint.

And that was not being done. It was basically relying on the fact that the individual systems are being managed and therefore issues surrounding security or issues surrounding configuration would take care of themselves.

So on the one hand I think they have dealt with and effectively played the cards that they were dealt in this particular situation. Now, strategically going forward they are looking for ways to go beyond that and create a more interoperable solution. But that is down the road. That is years down the road. That is in fact what they have largely brought on the prime contractor to help them do.

DEPARTMENTAL FOCUS NEEDED TO GUIDE US VISIT

Senator GREGG. Does Mr. Williams need more authority in order to force integration of these systems?

Mr. HITE. I would not jump to him needing more authority at this case. Maybe some authority to help him manage the interim solutions now. But strategically, I think I go back to what I said in my opening remarks, and I think you made the point too. US VISIT is not an island. US VISIT fits within a larger context within the Department of Homeland Security, and that context needs to be defined and based on that definition. There needs to be put in place an authority, a power, a responsibility, an accountability structure, to make sure that it can be accomplished.

Right now, in some respects I believe the program is—it is sometimes the tail trying to wag the dog, because it is trying to accomplish certain things through its program and what its span of control and authority is, yet some of the things it is trying to deal with are outside its control. So I think the Department needs to step up and define this context, so that programs like US VISIT and other programs out there like Secure Flight and trusted traveler programs can be engineered in a way that they work as one holistic interoperable set.

REVISED COST AND SCHEDULE ESTIMATE REPORT OF REAL TIME INTEROPERABILITY

Senator GREGG. I have a couple more questions. Senator Byrd, did you have any additional thoughts, questions?

Senator BYRD. Just briefly. I'm very impressed by your witnesses today, favorably so.

Mr. Williams, the conference report accompanying the fiscal year 2006 Homeland Security Appropriations Act required the submission, Mr. Williams, by November 20, 2005—it is my birthday, November 20, 2005 of a revised cost and schedule estimate for the achievement of real-time interoperability between the Integrated Automated Fingerprint Identification System, IAFIS, and the Automated Biometric Identification System, IDENT. We have yet to receive that report.

Your office has been charged with taking the lead on this project. How much additional money will you need for true IDENT–IAFIS interoperability, can you tell us?

Mr. WILLIAMS. I believe we did submit a report, but I am not sure it included the out year estimates for what we think we need. I will tell you it is a number somewhere, in terms of between us and the FBI—we developed a joint estimate together on what it would take to achieve full interoperability. It is something you will see, I think, as part of the fiscal year 2007 budget submission, that next increment of money that we need.

Frankly, I have to be careful what I say here because I do not want to jump in front of the President's fiscal year 2007 budget. That is not something I should do. But we have outlined what the cost estimates are. I believe you may already have that information. I am not sure. But we do have a clear plan and it is going to be something that is an amount of money that is more than $100 million, just for example.

But it is something where we think the benefits—as Mr. Hite said, we will outline all of the benefits we believe that will be achieved. We are already starting to see the benefits of that interoperability relationship that we have with the FBI, and we do have a clear plan, based upon money and resources, how to get there. The money that we will need you will see in the fiscal year 2007 budget.

Senator BYRD. Are you saying that you will have enough money in 2006?

Mr. WILLIAMS. We are currently looking at our 2006 budget money to see whether we have enough money to do what we want to do in 2006. What we have developed with the FBI is a three-part plan. First of all, something we call an interim data-sharing model. That is something where we would start with the FBI sharing information with us, we would share information back with them, for example, and we have already started doing this.

Previously, in our watch list we had wants and warrants of foreign-born, unknown country of origin people. They are now starting to share their wants and warrants of U.S. citizens, so that is something they are sharing with us. Eventually, we will start sharing with them things like visa refusals, so that we have a bidirectional sharing of information.

That is an interim data-sharing model. We will then go into initial operating capability of what we think will be the full interoperability model. Initial operating capability, we hope to start that some time in the fall. We are looking right now, working with OMB to make sure we have the money to achieve that.

Going beyond that, in the out years we would then be shooting for a few years down the line for a few operational, interoperational capability between IAFIS and IDENT. That money we hope will be included in the fiscal year 2007 budget request.

Senator BYRD. I may have missed something, but are you saying you have enough money in 2006 or that you do not have enough money?

Mr. WILLIAMS. Again, we are working with the Department and OMB to make sure that we do, and that is an ongoing process right now. As we define with the FBI what we want to do initially—initially it is this interim data-sharing model—I believe we have the money today for that, that we have identified the money for that today. The money we need for initial operating capability that we

would begin some time later in the fall of this year, we are currently working with OMB and the Department to identify that money.

Senator BYRD. So we are already 4 months into the fiscal year. I do not understand why you are waiting. We should have received a plan months ago.

Mr. WILLIAMS. Again, I believe you did receive a response from the Department, but it did not contain all of the estimates because the Department did not want to provide information in advance of the President's budget. But in terms of—we are not waiting. We have a plan. Again, I talk to Tom Bush regularly. We have our regular executive committee meetings with him. I talked to him last night.

We are already beginning this interim data-sharing model, where the FBI is already today transmitting additional information to us, and we are going to start some time later where we can give information back to them. We are not waiting. We are trying to move out on this.

What we are trying to do is get some early successes, and we think we are getting them already. In fact, for the information they are giving us we have already had some benefits just in the last few days, frankly.

Senator BYRD. This interoperability is critical, critical, to the success of the US VISIT program. I hope that the President's 2007 budget when it is submitted in 2 weeks will include sufficient resources to move forward rapidly. What do you think? Do you think my hopes will be——

Mr. WILLIAMS. I agree with your hope.

Senator BYRD. You are in an agreeable mood. I should have been tougher on that question.

INTEROPERABILITY FUNDING

Thank you, Mr. Chairman.

Senator GREGG. I thank you, Senator. I think you have highlighted a point that is very critical here, which we have been highlighting as a subcommittee now for a long time, way back, as you mentioned, to when Secretary Ridge took over the Department. That is that this is a huge priority. We are glad there is progress being made. I am actually sort of surprised that there is progress being made, because the technology hurdles here are very significant, especially as to getting all ten fingerprints at the border entry point.

But we do feel that this is critical as a committee, and we are committed to getting you the resources you need to do this. We took a run at getting $1.1 billion additional capital into the Department directed at border activity. In that number—and it was in the—it was actually in the defense appropriations bill and it would have been an emergency supplemental for the Department—we did not have additional funding for this issue, I do not believe.

But we are going to take another run at that, getting that number, because that is capital improvement items and there will be a supplemental before we will be doing the final bill. So we will want to have that number, what you need to do this, and be ready to move with that number.

The President's budget will be coming up on the 6th. Hopefully, by then we will know the number, and if the right number is not in the budget we will want to know from you what the right number is, because, as the Senator has pointed out and as we have pointed out on this committee for a number of years, this system is not going to work unless we can access that huge FBI database in my opinion. We would be leaving millions of potential hits on the table if you do not get into that database, and you can not get in there with two fingerprints.

CONGRESSIONAL FUNDING LIMITATIONS

Second, there has been some discussion of what the proper funding level is for this US VISIT effort. Really, there were two things which limited our ability to fund this in our opinion. The first was that we still do not see—and I think Mr. Hite has made this point and you have made this point to some degree, but not maybe in the same way I will. We do not see an exit program that works and I am not inclined to just put money into something unless we have got a demonstration of something that works, that we can go to execution on.

Mr. Hite has pointed out that most of the demonstration efforts in the area of the exit programs are not doing what has to be done. You have pointed out that the capital costs of doing a major exit mirror of the entrance would be huge, $3 billion, and maybe not even functional. So we have got to come up with something that is more viable in this exit area.

The second thing that has limited the amount of money here was when the White House sent up their budget to us on homeland security they put in a plug number, $1.5 or $1.7 billion, which was a fee increase on airlines to fund TSA, and then they reallocated those monies throughout the agency. Everybody knew that number was not real and that nobody was going to hit the airlines, which were on the brink of disaster as it was, with this type of a huge fee increase.

So we as a committee were stuck with a hole of $1.7 billion, which we then covered to a great extent. I think we picked up—thanks to the largesse of the chairman and the ranking member, we got an allocation that was significantly higher than one might have expected, and we were able to pick up a lot of that. But we were not able to pick up all of it. So that adjustment came across the board.

I would hope—you do not have any role in this. But I would hope we would not get another plug number in this budget that is coming up, because it is not constructive to the effort of making this Department—of addressing the needs of this Department, as you might have noted in your own points.

EXIT STRATEGY LIMITATIONS

So I would like to just get your thoughts on exit strategy because it is—you have made great progress on the entrance side. There is still a long way to go, as you mentioned. Mr. Hite certainly pointed out some of the things that need to be done here from a strategic planning side. But if there is one hole that clearly is not yet filled and which there does not yet seem to be a concept as to how we

are going to do it effectively, it is the exit strategy. And if you do not know who is leaving—knowing who is coming in is important, but knowing who is leaving, if you are going to get a full picture of where we stand as a country and who is here and who is not here that might threaten us, it is important to know who is leaving.

Mr. WILLIAMS. Let me summarize where we have been on exit again. Talking about air and sea, we are currently conducting these 14 pilots at 12 airports and 2 seaports.

Senator GREGG. If I could interject, I am sorry. But Mr. Hite has basically said they are not working.

Mr. WILLIAMS. Well, that is what I wanted to comment on. We evaluated these pilots based upon looking at compliance, cost, convenience to the traveler. While we think the compliance rates were low, we also have had recently something that caused us to believe that, if implemented this way—and again, we are looking at what is the right implementation strategy—that one of the keys is enforcement, because where ICE took an enforcement action in a particular place our compliance rate, which was not great at that particular airport, all of a sudden because ICE did something as part of an outbound operation, our compliance rates in terms of the airlines wanting to help us comply and getting passengers to comply so that we did not disrupt their departure times, our compliance rates went up.

I think part of the problem with our compliance rates was first of all, again we did not have the infrastructure that you have on entry. Second, this was a new requirement and there were people who believed, even though we told them it was mandatory, they either did not believe it was mandatory or they did not believe there would be any discipline or consequences for failing to comply.

We just had a recent incident where ICE decided, and we support that, to do an outbound operation because of another reason. All of a sudden, in that particular place all the airlines who did not want their departures interrupted by people, by ICE, looking at who had not checked out, so then all of a sudden the airlines said, well, let us work with you to make sure people do check out so you do not disrupt our departures. And our compliance rate shot up to around 90 percent, 90 percent meaning those people who should check out of the country biometrically did check out of the country.

I think while we are looking at the results of these pilots and then looking at other alternatives, because we want to make sure we get this right—and again, dealing with a lack of infrastructure, and we want to work with the airports and the airlines and the cruise lines on getting this right. We do think there has been value in what we have done in these pilots. We have had over 400 hits.

Senator GREGG. I am sure it has some value.

Mr. WILLIAMS. Also, our matching rate for when we have an entry biometric record to somebody leaving biometrically, matching those two records is over 99 percent. When we have been able to register that people have left, we have been able to take those off the radar screen of ICE. In fact, we have been working with ICE very collaboratively with some small but great results, where we have been able to look at databases such as—again, when an airplane leaves they have to provide us a departure manifest that

says who is on it—looking at our biometric records of departure and saying to ICE: We can tell you, take these people off your radar screen; they have left. We have also been able to tell them with a degree of confidence: We think these people are still here.

This is the first time, we believe, in our Nation's history that we have been able to identify people who are overstays, not through some other law enforcement or work site enforcement or national security means, but just simply by looking at our databases we have been able to say to ICE: We believe these people are overstays. And ICE has then taken that information and made nearly 100 arrests.

So we are looking at an exit system that will put integrity in the immigration system. It's a difficult challenge, I agree. But I think the pilots that we did, if you can implement something like this nationwide with enforcement, where people think there's consequences if they don't comply, it is going to be of value to ensuring integrity in the immigration system. As the President said, we want people to come. We want to know why and we want to know, did they leave on time. That is the integrity of the immigration system and that is what we are shooting for.

Senator GREGG. Well, we appreciate that, and I think we will probably ask GAO to give us an analysis of what we should fund if we were to tool up something like that, what they feel has worked there, too. But we do appreciate your conscientious effort here. You have done—you have made a lot more progress than I thought you would make, to be very honest, and you deserve a pat on the back for it. Your people deserve congratulations for all the effort and time they put into it and to making what is really a critical element of our national security work. So I thank you for that.

ADDITIONAL COMMITTEE QUESTIONS

There is, as has been pointed out, a long way to go. As you say, it is the end of the beginning, or the beginning of the next step, anyway, whatever the term was. We have got a long way to go. You have started to build a foundation. We want to support you in that. So get us the numbers you need for that support, and to the extent GAO tells us that they make sense.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO JAMES A. WILLIAMS

QUESTIONS SUBMITTED BY SENATOR JUDD GREGG

RETURN ON INVESTMENT

Question. US VISIT will be a multi-billion dollar investment in a system that, while making significant strides in closing security gaps, will not be able to close them all. The most significant question: what is the return on investment for the American taxpayer?

Answer. The United States Visitor and Immigrant Status Indicator Technology system (US VISIT) has made significant contributions since its first functional deployment in January 2004 to the Department of Homeland Security (DHS) strategic goals of: (1) detecting, deterring, and mitigating threats to our homeland; and (2) serving the public effectively by facilitating lawful trade, travel, and immigration. Evidence of these contributions includes:

—Through January 2006, DHS has processed 49 million travelers through its US VISIT biometric screening capabilities at ports of entry, representing the largest application of biometric screening capabilities in the world.
—US VISIT is providing capabilities to enable improved matching of exit records to entry records, as demonstrated by results from fiscal year 2005. During a pilot of biometric exit, 92 percent of biometric exit records were matched to entry records, compared to 82 percent for biographic matching. This 10 percent increase equates to the ability to match an additional five million individuals approximately per year.
—US VISIT screening of travelers at ports of entry have resulted in nearly 3,500 biometric watch list hits, resulting in more than 1,000 adverse actions, including matches for individuals convicted of serious crimes as well as individuals found to have committed visa fraud and other immigration violations.
—hrough support to the Department of State (DOS) BioVisa program, US VISIT supports a virtual border and detects persons of interest before they ever reach our shores. Through January 2006, State screened nearly 10.5 million visa application records through US VISIT, resulting in almost 13,900 matches to derogatory information.
—Immigration and Customs Enforcement (ICE) apprehended 173 aliens based on overstay records identified by US VISIT through January 2006. These arrests mark a significant milestone. For the first time in our Nation's history, nonimmigrant aliens who overstay their authorized period of admission are being identified by an automated system and this data is electronically provided to enforcement authorities.

These statistics represent some of the contributions to date from implementation of US VISIT in response to critical legislative mandates.

The return on investment for the American taxpayer is the creation of a virtual border with end-to-end information management on foreign nationals traveling to the United States, covering their interactions with Federal officials before they enter, when they enter, and when they exit. Implementation of this border management technology will also provide the necessary data to perform better analyses of our immigration system, inform policy development, and support enforcement efforts.

AIR EXIT TRACKING

Question. What are the results of the biometric exit pilots executed in airports?

Answer. The exit pilot determined that all three exit alternatives were able to capture and transmit biographic and biometric information. All alternatives processed travelers quickly and efficiently and do not unduly impede travel.

The exit pilot evaluation demonstrated that biometrics provide a significant enhancement to the existing ability to match arrival and departure records. US VISIT was able to successfully match biometric exit records to a biometric entry record for 92 percent of all travelers who complied with the exit process, as opposed to only an 82 percent successful matching rate of biographic-only records. This 10 percent increase would equate to, on a nationwide scale, the Government matching an additional 5 million individuals approximately per year.

Compliance rates during the pilot were below 50 percent at the majority of pilot locations, but may improve with enforcing the requirement.

Biometric processing at exit provides an additional level of law enforcement through the identification of persons who are attempting to leave the United States with active wants and warrants.

Between January 5, 2004, and December 1, 2005, DHS had 322 biometric watch list hits on exit. While many of these matches did not require DHS to stop the individual from leaving the country, significant matches reviewed by the National Targeting Center (NTC) law enforcement, and meeting documented criteria in standard operating procedures, did merit response by DHS. Examples of significant records responded to include, and are limited to, known or suspected terrorists, active felony warrants, and active Interpol warrants. Of these matches, five resulted in DHS taking adverse action.

Question. Is this a cost-effective means of tracking individuals as they leave the United States?

Answer. As a part of the exit pilots, US VISIT is examining the costs and benefits of this project.

Question. None of the pilots included setting up passport control areas for departing passengers. Why?

Answer. During the initial development of possible solutions for the collection of exit biometrics, various alternatives were considered. US VISIT worked with Fed-

eral partners and stakeholders to determine which of the alternatives could be implemented that would also minimize the impact on the transportation companies and port authorities.

A passport control system, in which gates are physically separated from the rest of the terminal, was considered but rejected because it would have required construction at every international departure terminal and would have changed airline operations to only permit international departures from certain gates.

Question. Is this something DHS should consider implementing?

Answer. No.

Question. Is requiring the airlines to collect the biometric data and ensuring all passengers boarding aircraft have properly checked out of US VISIT under consideration? How would this be done?

Answer. An integrated long-term solution could incorporate the collection of the US VISIT exit biometrics and biographic information into an existing function that a traveler is required to complete. This could be completed at check-in, pre-boarding security screening, or into the boarding gate procedures.

Question. When will the Department make a decision as to how exit tracking will be implemented airports?

Answer. DHS is examining the results of the current exit pilots at 14 airports and seaports. DHS will determine the best approach for capturing exit data using biometrics and biographic information. We continue to rely on our existing exit process, which is now being enhanced by implementation of the Advanced Passenger Information System (APIS) rule.

Question. When will a plan to implement that decision be submitted to this subcommittee?

Answer. The implementation of exit tracking will be included in future expenditure plans.

LAND ENTRY/EXIT TRACKING PILOTS

Question. What exactly is being piloted at the land border? Is it just the radio frequency identification tags (RFID)? Or has the reader been integrated with the computer in the primary inspection booth? In other words—are you testing only the tag or is the inspector getting real time information from the tag?

Answer. US VISIT has established a pilot program at land border for documenting exits and any subsequent reentries of nonimmigrant travelers who have gone through the US VISIT process on entry. This pilot is operating at five U.S. land border crossings utilizing radio frequency identification (RFID) technology. Phase 1 of the test embedded an RFID tag into the form (Form I–94/A) used by nonimmigrant aliens and upgraded pedestrian primary workstations. The systems being developed associate the RFID tag with data for the traveler, and pre-position the information for display to the Customs and Border Protection (CBP) Officer at the time of inspection. Also, Phase 1 records travelers in a vehicle on exit which are equiped with overhead gantries (on which are hung RFID antenna) that are in place at all pilot locations to record these travelers as they depart. Phase 1 was implemented August 4, 2005.

Question. Is RFID a viable technology for this kind of tracking?

Answer. In 2004, an operational alternative analysis was conducted and RFID met both operational and technical requirements. This study examined remote sensing technologies such as facial recognition, iris scanning, retinal scanning, global positioning systems, voice recognition, as well as various types of RFID technologies. Criteria used in the analysis included mission fit to operational requirements, commercial availability, and impact on traveler privacy. RFID was identified as the best fit to the requirements using technology available today. Subsequently, an RFID feasibility study was performed using three RFID industry leaders that led to a vendor recommendation based on performance and deployment in a Proof of Concept.

US VISIT believes that RFID has the potential for use at exit, even though the technology is still maturing. RFID is a rapidly advancing technology. US VISIT will continue to work with industry to develop RFID technology that meets the current and future needs of the immigration and border security management community.

Question. How many different vendors are participating in the exit pilots as of today?

Answer. The RFID Proof of Concept under way at selected land border locations is using RFID products (readers, antennae, and tags) from only one vendor.

Question. Is there a risk of getting tied into one proprietary technology?

Answer. US VISIT has conducted early discussions with industry and has stressed the importance of open standards and interoperability for RFID technologies. An important activity in the next phase is to evaluate and incorporate next generation

RFID technologies into the Proof of Concept to mitigate the risk associated with proprietary products. Next generation RFID technologies are standards-based and backward-compatible so that existing documents can continue to be used.

Question. Will RFID be able to replace the need to build vehicular exit lanes along the Nation's land borders?

Answer. RFID is an emerging, evolving technology that private industry is continuing to develop and enhance (i.e., industry is moving toward an interoperable (versus proprietary) standard). We are testing the possibility that RFID can be used as the primary technology for recording the entry and exit of travelers in the land border environment. Any solution cannot impede the free flow of legitimate travelers and commerce on entry to, or exit from, the United States. In order to meet that objective, RFID was the most promising solution. Continuous improvement in the advances of RFID, business process improvement, and increased traveler compliance will replace the need for a costly public construction effort.

Question. Once an individual is enrolled in US VISIT and in possession of the RFID-enabled I–94, how will you know if the readers successfully captured a subsequent border crossing, without knowing ahead of time when people plan to cross?

Answer. As a part of the US VISIT enrollment process, the traveler's information is immediately available for subsequent use on reentry. The tag is associated with that traveler's biographic and biometric information on the back-end technical infrastructure. The radio frequency (RF) readers are strategically placed to automatically and remotely detect the presence of an RF-enabled I–94 from the head of the vehicle and from the pedestrian lanes. When a tag is read, the tag is immediately transmitted to the back-end systems for processing the reentry (or exit, as the case may be) so that information can be accessed and presented for the CBP Officer to use in the admission decision.

Question. What is the level of confidence that the pilots will produce meaningful information for evaluation?

Answer. DHS has already learned a great deal from the existing pilots and the results will be used for the next phase of testing.

INFORMATION TECHNOLOGY PLATFORM

Question. Is the current information technology platform (inherited from legacy agencies) used by US VISIT adequate or likely to prove inadequate?

Answer. Deployment of the US VISIT system required the beginning of the integration of existing systems immediately.

In order to deploy US VISIT quickly, DHS and its enterprise partners—the Department of Justice (DOJ) and DOS—used (and have been successful) in trying to integrate disparate systems and networks to give users access to mission-critical information systems. However, the systems and their infrastructure platforms can be greatly improved. There are modernization efforts in various stages throughout DHS, as well as within critical partner agencies such as DOJ (including the Federal Bureau of Investigation (FBI)), that will decrease the risk to scalability and functionality that some older systems and platforms present. US VISIT continues to examine DHS systems. For example, as part of the plans and analysis for transitioning to 10-print biometrics and full interoperability with DOJ/FBI Criminal Justice Information Services (CJIS)-Integrated Automated Fingerprint Identification System (IAFIS), US VISIT will modernize the Automated Biometric Identity System (IDENT) platform.

Question. One of the challenges facing US VISIT is that many of the information technology systems that are integral to this effort are owned and operated by other components and departments. How is this being managed?

Answer. DHS has established a Federal Advisory Board that includes senior representatives from a wide range of stakeholders. US VISIT is a member of the DHS Joint Requirements Council. The US VISIT Chief Information Officer (CIO) is a member of the DHS CIO Council, and the DHS CIO has established a subgroup of CIOs as a Screening Portfolio (US VISIT, CBP, ICE, Transportation Security Administration (TSA), and U.S. Citizenship and Immigration Services (USCIS)) for those organizations that are primarily the owners and operators of systems and infrastructure that comprise critical pieces of US VISIT.

Question. One of the challenges facing US VISIT is that many of the information technology systems that are integral to this effort are owned and operated by other components and departments. What mechanisms are in place to make sure that development decisions are getting made in a timely manner and that the decisions are in fact carried out?

Answer. In addition to the answer provided previously, US VISIT has established Integrated Project Teams (IPTs) to manage each project. These teams oversee the

project and then allocate resources to components via interagency agreements and basic service level agreements to make the necessary enhancements and improvements. The US VISIT IPT manager ensures that all components agree and obtain clearance on formal business requirements, which then dictate the progression of the project through its lifecycle and the key decision points that are required to keep the project on budget and within schedule and scope. Issues that would affect the project or projects are elevated.

Question. What has been accomplished with the $21 million of fiscal year 2005 funds spent on developing the long-term strategy for US VISIT, including modernizing systems and capabilities and integrating databases?

Answer. In fiscal year 2005, US VISIT allocated $21 million for Increment 4, the modernization and expansion of systems and capabilities. Of those funds, $13 million was allocated to the modernization of systems and capabilities and $8 million was allocated to facilities delivery support. Of the funding for modernizing systems, approximately $4 million was used for strategic planning and blueprinting. The funds for facilities delivery support have been obligated for environmental studies and analysis, systems and performance modeling, Geographical Information System development and sustainment, and facilities planning to support operations for air, sea, and land ports.

AUTOMATED BIOMETRIC IDENTIFICATION SYSTEM (IDENT)/INTEGRATED AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (IAFIS) INTEROPERABILITY

Question. There are legislative proposals that would set a deadline of October 26, 2006, for DHS to complete the conversion of US VISIT from a 2-fingerprint standard to a 10-fingerprint standard. Can the conversion to 10-fingerprints be completed by October of 2006? If not then, what is a realistic timeframe?

Answer. US VISIT does not require additional statutory authority to move from a 2- to a 10-fingerprint standard. The conversion to 10 fingerprints cannot be completed by October 26, 2006, regardless of funding levels.

US VISIT must undertake two initiatives: deploy electronic readers capable of scanning 10 fingerprints accurately and quickly; and develop interoperability between the FBI's IAFIS and DHS's IDENT. US VISIT has already made progress towards IDENT/IAFIS interoperability and is exploring 10-print readers for deployment to multiple environments.

DHS, along with the Departments of State, Justice, and Defense, as well as the National Institute of Standards and Technology, hosted an industry day to challenge the private sector to make a smaller, faster, and more accurate 10-print capture device. We are working with industry to help design new capture devices that meet DHS's basic operational requirements at primary inspection. Advances in technology will allow DHS and State to routinely collect 10 slap prints, without negatively impacting the thousands of international visitors that pass though our ports and visa issuing posts every day.

The joint DHS/DOJ/DOS Integrated Project Team has agreed upon three phases to achieving interoperability: (1) an interim data sharing model (data sharing solution); (2) initial operating capability (IOC); and (3) full operating capability (FOC).

The interim solution will consist of a prototype (also known as the interim data sharing model) that is a first step toward achieving the new interoperable environment between IDENT and IAFIS. The interim solution will allow for two-way sharing of certain biometric information. FBI will provide information on all wants and warrants. DHS will provide information on expedited removals. DOS will provide Category 1 visa refusals (e.g., generally one involving a permanent ground of inadmissibility). DHS and FBI's CJIS Division formally started the first phase on February 1, 2006. This time period will be used to design and build the prototype system. These improvements will be completed by the end of fiscal year 2006.

During the next phase—the initial operating capability (IOC)—DOS and DHS will begin to collect 10-prints and DHS will convert the current two-print DHS IDENT system to store and utilize 10-flat prints in processing. DHS and FBI will establish an infrastructure for exchanging information and search capabilities.

Finally, the full operating capability (FOC) includes full information sharing, subject to controlling laws and policy; high performance searches of biometric data in both IDENT and IAFIS for positive identification; increased matcher performance appropriate to the increased volumes; and more comprehensive biographic/case data sharing.

BORDER CROSSING CARD/LASER VISA READERS

Question. Funds were appropriated to purchase readers for the border crossing cards in use along the southwest border. These machines were purchased and in-

stalled during fiscal year 2004; however the decision was made to not integrate the readers with the Customs and Border Protection (CBP) computer systems. So while an individuals card is read during the interaction with the inspector, no record is being kept of the number of times that individual crossed our borders, even though that capability exists.

Given the technological challenges in pursuing RFID technology for tracking of entries and exits at land ports-of-entry will integration of the BCC readers with the CBP computer system be re-considered?

Answer. US VISIT, in partnership with CBP, embarked on a further upgrade of card-reading software during fiscal year 2005. This upgrade was completed in October 2005 and allows CBP Officers quicker access to biographic and biometric information in the primary inspections environment for persons holding U.S.-issued travel documents and cards. The new software is fully integrated and thus offers the officer the option of viewing the alien's crossing history.

OFFICE OF INSPECTOR GENERAL REPORT: US VISIT SYSTEM SECURITY MANAGEMENT NEEDS STRENGTHENING

Question. On January 24, 2006 the DHS Office of Inspector General released a report entitled "US VISIT System Security Management Needs Strengthening". What steps do you plan to take to remediate these issues?

Answer. Our remediation steps are outlined in our formal response to the Office of the Inspector General (OIG) Report and included in the end of that report.

Question. The report included findings that US VISIT was not in compliance with the Federal Information Security Management Act, and further that there was a lack of communication and coordination regarding the security of existing US VISIT systems between the program office, the CBP programs and Chief Information Officer, and the Immigration and Customs Enforcement programs and Chief Information Officer. How do you plan to remedy these situations?

Answer. The OIG report concluded, "Overall, information security controls, including physical access controls, have been implemented and provide an effective level of security on the systems, which comprise the backbone of US VISIT." The specific FISMA deficiencies mentioned in the report directly relate to documentation issues with memoranda of understanding and Interconnection Security Agreements (ISAs). At the time the report was written, DHS policy did not require an ISA for internal DHS connections (i.e. US VISIT to CBP). Since the publishing of the report, the DHS Information Technology (IT) Security policy was updated to require ISAs for ALL interconnections, both internal and external. US VISIT plans on fully complying with the OIG recommendation (as noted in our formal response included at the end of the report) and the DHS policy requirement.

US VISIT formally disagreed with the finding that there was a lack of communication and coordination and included this information in its response to the OIG report, US VISIT program functions are implemented via systems, owned and operated by CBP and ICE, that are modified or enhanced according to functional and security requirements developed by US VISIT. Technical solutions meeting these requirements are often developed in concert, or at a minimum in consultation with, the other organizations. Furthermore, US VISIT is directly involved in oversight of system assurance testing and has established a life-cycle process that coordinates the involvement of CBP and ICE. In addition, we have initiated regular security team meetings, attended by the security principals from each organization that meet to discuss a wide range of security issues. These meetings are essentially conducted worker-to-worker' and may not always have high visibility, but they nonetheless directly and positively impact the security posture of the systems comprising US VISIT.

LIMITATIONS OF US VISIT

Question. After full deployment of US VISIT, gaps will continue. Individuals will continue to enter both legally and illegally—by walking across the land border between ports, using a private boat on lakes or in the ocean, or by using private planes. How will the Department ensure gaps between ports of entry are not exploited?

Answer. DHS and CBP is aggressively pursuing the full implementation of the National Border Patrol Strategy for the deployment of all required resources to achieve operational control between the ports of entry, as well as the necessary detention and removal resources.

A major supporting component of the strategy is the Department's Secure Border Initiative (SBI) to coordinate the deployment of all DHS resources for bringing operational control to both the Northern and Southern borders.

The SBI includes the following:

—More officers to patrol our borders, secure our ports of entry and enforce immigration laws;

—Expanded detention and removal capabilities to eliminate the "catch and release" process;

—A comprehensive and systemic upgrading of the technology used in controlling the border, including manned and unmanned aerial assets, and next-generation detection technology;

—Increased investment in infrastructure improvements at the border—providing additional physical security to sharply reduce illegal border crossings; and

—Increased interior enforcement of our immigration laws—including more robust worksite enforcement.

The mix of resources provided by the SBI will substantially address, when fully deployed, the gaps on the land, water, and air to prevent the illegal entry into the United States of persons and contraband at and between the ports of entry.

Question. How will the entry and exit of private boats and planes be tracked?

Answer. The locations that process private boats and aircraft have generally not been designated in the Federal Register as US VISIT equipped locations, and therefore, US VISIT equipment has not been installed in these locations. The number of travelers subject to US VISIT requirements arriving at these locations is generally low.

CBP does have other mechanisms in place to perform biographic queries of travelers and biometric queries if deemed necessary. All persons arriving via private boat and air must report their arrival to CBP. CBP enters all arrival data and traveler biographical information into the Treasury Enforcement Communications System (TECS) and issues an I–94 (which is also entered into TECS) if applicable. When the person issued the I–94 departs the United States, he must surrender the I–94 to CBP. CBP also has the authority and ability to perform fingerprint queries on any traveler where biometric equipment is available. Biometric equipment may not be available at smaller locations, however, and in situations where this is the case, CBP would transport the traveler a short distance to an equipped location.

QUESTION SUBMITTED BY SENATOR THAD COCHRAN

US VISIT: BIOMETRIC TECHNOLOGY MODEL

Question. Mr. Williams, according to your written testimony, US VISIT has been deployed on time, within budget, and has met every mandate established by Congress to date. Also according to your testimony, US VISIT has processed approximately 47.6 million travelers at our points of entry, while intercepting over 1,000 known criminals and immigration law violators and receiving only 131 complaints regarding privacy issues.

Do you think this model of implementation and management of biometric technology could be successfully deployed for other law enforcement uses in other Federal Government agencies?

Answer. US VISIT already supports the sharing of biometrics and biographic data with DOS consular officers, CBP Officers, and USCIS Officers so they may have the information they need to authenticate travel documents, verify identity, adjudicate immigration benefits, and identify criminals, immigration violators, and other threats to our security. Additionally, ICE is using information from US VISIT to identify overstays and to strengthen immigration enforcement.

QUESTIONS SUBMITTED BY SENATOR RICHARD C. SHELBY

ENTRY/EXIT BORDER TECHNOLOGY

Question. How long before border technology is in place to securely process entry and exit at all points in the United States?

Answer. The initial phases of US VISIT have successfully implemented new screening capabilities that include biometric entry procedures now operating at 311 land, air, and sea ports of entry, as well as linking key interagency databases. US VISIT is piloting exit procedures in 14 air and seaports, and is exploring the use of RFID for exit at the land ports.

Still, significant challenges remain before all the necessary technology and systems are in place to securely process entry and exit at all ports.

Question. Is it really feasible to monitor every point of entry in the United States to accurately track entry and exit?

Answer. The long-term strategy of US VISIT is to deploy end-to-end processes and manage information on foreign nationals traveling to the United States by integrating their interactions with government officials before they enter the United States, when they enter, and when they exit. Furthermore, linkage of key intelligence data and global coordination with our partners in the international open community has provided an increased level of security.

The initial phases of US VISIT have successfully implemented new capabilities that include biometric entry procedures now operating at all 311 land, air, and sea ports of entry. US VISIT continues to develop exit capabilities and further integrate databases within the immigration and border security community.

Question. What will be the total cost of such a project?

Answer. The Department is devoping a long-term deployment schedule for a comprehensive, biometrically based entry-exit system. Many elements still need to be researched and tested before accurate cost estimates can be made.

Question. Does the Department of Homeland security have a strategic forward looking plan to institute and proficiently carry out such a program?

Answer. Since US VISIT has implemented its initial increments, US VISIT will now focus on improving business processes, developing and testing new technology, and improving information sharing to create an integrated border management system for the future.

Question. What are the assumed error rates of a entry and exit tracking program?

Answer. DHS does not assume error rates since exit is not deployed at all ports. However, DHS does have "unmatched" data on exit, which incorporates both biometric and biographic entry-exit matching strategies, and is dependent on the following factors: (1) The ability of the system to accurately match the arrival records that are captured to the corresponding departure records that are captured. This matching capability is constrained by the limitations of the matching technologies and by the accuracy and completeness of the data elements captured at entry and at exit. (2) The completeness (percentage of the population) for whom entry and exit records are captured at all points where persons can legally enter and depart the country. Surreptitious entries and exits (e.g., between ports of entry) are outside the scope of such a system. (3) The degree of certainty that records captured at departure indicate those individuals actually departed the county.

Based on available information, we assume that fingerprints of sufficient quality to perform biometric matching cannot be captured for approximately 2 percent of the population. Of the remainder, studies performed by National Institute of Standards and Technology (NIST) indicate that for one-to-many searches, US VISIT biometric matches have a 97 percent accuracy rate, and for one-to-one searches a 99 percent accuracy rate. No corresponding statistical or scientific baseline has been established for biographic matching since the ability to accurately perform text-based record matching is dependent upon the accuracy and completeness of the specific data elements collected and the matching algorithms employed.

Question. How many people slip through the system?

Answer. US VISIT analyzes exit records to determine if stays were legally extended, if there were approved changes in status, or if information in other systems may have impacted matching an entry to an exit. US VISIT then provides ICE's Compliance Enforcement Unit (CEU) with a listing of possible overstays on a weekly basis. This exchange of information has led to the arrest by ICE of 122 individuals (January 2004 through January 5, 2006) who have overstayed the terms of their admission.

Question. Another major problem with our immigration system is visa overstays, what is Homeland Security doing to rectify this abuse?

Answer. The Department is concerned about the number of visa overstays. Any one of ICE's roughly 6,000 criminal investigators can and does make arrests for visa violations on a daily basis. In fiscal year 2005, there were thousands of such arrests by ICE field agents.

To further address the problem of visa overstays, ICE established the CEU in June 2003 to specifically target visa violators who pose an elevated national security or public safety threat. It is important to note there was no mechanism in place before the September 11, 2001, attacks to identify and prioritize visa violators according to risk. The CEU utilizes DHS nonimmigrant registration and tracking systems, such as the Student and Exchange Visitor Information System (SEVIS), National Security Entry-Exit Registration System (NSEERS) and US VISIT to identify and refer visa overstay and student status violators for field investigation.

In its relatively short existence, CEU-generated investigations have led to the arrest of nearly 1,800 high-risk visa violators nationwide through January 2006, including suspected national security threats, murderers, rapists, and other criminals. From fiscal year 2004 to 2005, the number of CEU-generated arrests increased by

roughly 180 percent, as the unit established a foundation and began expanding operations with additional personnel and data systems. At the current time, there are 237 Compliance Enforcement personnel at ICE headquarters and in the field.

Question. Do you know how many temporary visa holders never return to their home country?

Answer. Since the United States does not have immigration exit control deployed to every land, air and sea port of entry, it is difficult to estimate this number. However, as US VISIT, ICE, and CBP move forward with plans for implementing biometric exit control at air and sea and exit at the land borders, estimating this number may become easier.

The DHS Office Immigration Statistics issued a report in 2003 that used data from the Nonimmigrant Information System (NIIS). As DHS noted in a previously submitted question for the record from the March 2, 2005, fiscal year 2006 Senate Budget Hearing, this report found a total of 23.6 million nonimmigrant departures were recorded by NIIS during 2003. Of those, 22.1 million or 94 percent were matched to an arrival and showed valid arrival and departure dates. Note that this was a one time report by the Office of Immigration Statistics and has not been updated or revised. Biometric exit control will provide a confirmed record that accurately ties an entry and an exit to a particular alien. This cannot be done with the NIIS system derived information.

Question. What are the ramifications and penalties for overstaying a visa?

Answer. Penalties for overstaying a nonimmigrant visa are set forth by the Immigration and Nationality Act of 1952, as amended. An overstay violation can result in arrest and removal, denial of future visas, and may lead to a finding of inadmissibility on subsequent applications for entry to the United States.

If removed for a visa overstay violation, the alien is barred from re-entering the United States for a minimum period of 5 years from the date of removal. Should such an alien re-enter the United States illegally, the alien is subject to prosecution for illegal re-entry and may face fines and/or imprisonment. Additionally, the alien will be subject to reinstatement of the previous order of removal and will not have the right to a hearing before an immigration judge prior to removal.

For nonimmigrants who are admitted to the United States under the Visa Waiver Program and subsequently overstay their authorized periods of admission, there is no provision for a hearing before an immigration judge and the alien is removed under an administrative process. He may not re-enter the United States under the Visa Waiver Program.

Question. The border with Mexico and the numerous illegal crossings that take place each day are a big concern to the citizens of Alabama. Not only the crossing of Mexican citizens, but the crossing of non-Mexicans and possibly persons from Nations with known terrorist connections.

How much does a system like US VISIT impact the border with Mexico?

Answer. US VISIT assists security along the border with Mexico by providing information to CBP Officers and DOS consular officials on whether an individual seeking entry through a port had been previously apprehended illegally crossing the border or if that individual has a criminal history in the United States.

In addition to increasing security, US VISIT is having a positive impact at the land borders by facilitating legitimate travel. At some land border ports of entry, automation of former paper processes through US VISIT procedures have significantly reduced the time it takes for a visitor to obtain a Form I–94 and be admitted into the country. For example, in Laredo, Texas, the Form I–94 issuance process has been reduced from an average of 8 to 11 minutes to just 2 to 5 minutes, even though we have added the collection of biometrics and additional security screening to the process.

Question. Are we just making it more difficult for persons who are trying to visit the United States legally while ignoring the illegal immigrant traffic?

Answer. No. US VISIT's accomplishments have been achieved without adversely impacting inspection times for the millions of legitimate international travelers who visit the United States every year. US VISIT, in partnership with CBP's Office of Information Technology, developed US-ARRIVAL. US-ARRIVAL is the system that automated the I–94 issuance process at ports of entry. For example, in Laredo, Texas, the Form I–94 issuance process has been reduced from an average of 8 to 11 minutes to just 2 to 5 minutes, even though we have added the collection of biometrics and additional security screening to the process.

The capability offered by biometric identification means that those who are welcome in the United States can be processed more quickly and more efficiently. US VISIT and the BioVisa Program represent milestones in the Nation's efforts to modernize and reform the U.S. immigration and border management system.

The implementation of joint IDENT/IAFIS workstations in Border Patrol stations and in secondary inspection at the point of entry has increased the level of screening that Border Patrol agents and inspectors can do. In 2004, Border Patrol made 1.1 million apprehensions of individuals crossing the land border between the ports of entry. As Border Patrol processed these individuals, their fingerprints were collected and checked against IDENT to see if there are any existing records on them.

Question. How much does the biometric database used within US VISIT come into play when persons who are trying to cross the United States/Mexican border are processed?

Answer. US VISIT biometric entry procedures have been operational in the secondary inspection areas of the 50 busiest land border ports since December 29, 2004. The remaining land border ports were operational by December 31, 2005. US VISIT applies to all visitors who apply for entry with a nonimmigrant visa, including those using a Border Crossing Card (BCC) to travel beyond the border zone or for more than 30 days, or under the Visa Waiver Program. As part of the US VISIT process, CBP Officers collect digital, inkless finger scans and take a digital photo of the visitor.

In addition, the IDENT/IAFIS workstations are an important tool for Border Patrol, secondary inspections, and interior enforcement. DHS completed deployment of integrated IDENT/IAFIS workstations to all remaining CBP ports of entry (for secondary inspection), ICE sites, and Border Patrol stations by December 31, 2005. The 2005 deployment focused on the remaining 66 ports of entry as well as the 339 ICE locations.

These workstations allow DHS's users in the field to collect one set of 10-rolled prints and simultaneously transmit them to both IDENT and IAFIS for checks. The joint workstations allow Border Patrol to view US VISIT records and also allow CBP and ICE to view Border Patrol's processing records through US VISIT.

Question. Do we have the same processes in place to identify wrong doers and track them if they are caught in the future?

Answer. Once a person "hits" against US VISIT (IDENT), that record is maintained in the system. This allows DHS to flag particular persons if their records denote that they have committed an act that bars them from future admissions or from receiving immigration benefits.

QUESTIONS SUBMITTED BY SENATOR ROBERT C. BYRD

FISCAL YEAR 2006 SPEND PLAN

Question. During the hearing, you noted your disappointment that the Congress did not fully fund the President's fiscal year 2006 request for US VISIT. However, we are 4 months into the fiscal year and we have yet to receive the required spend plan demonstrating how you intend to use the funds you were provided. What is the reason for the delay?

Answer. The expenditure plan is currently under review. US VISIT will submit the expenditure plan as soon as possible after the required review process is complete.

Question. When can we expect to receive the spend plan?

Answer. US VISIT will submit the expenditure plan as soon as possible after the required review process is complete.

TEN FINGERPRINT

Question. I was pleased that Secretary Chertoff announced this past summer that he plans to migrate the US VISIT program from the current two fingerprint enrollment for visitors to this country to a ten fingerprint enrollment. I have been pressing for this since the Department was created. What is your estimated timeline for achieving a 10 fingerprint process for US VISIT?

Answer. In order to realize the full benefit of collecting 10 fingerprints, US VISIT must undertake two initiatives: deploy electronic readers capable of scanning 10 fingerprints accurately and quickly; and develop interoperability between the FBI's IAFIS and DHS's IDENT. US VISIT has already made progress toward IDENT/IAFIS interoperability and is exploring 10-print readers for deployment to primary inspection.

DHS, along with the Departments of State, Justice, and Defense, as well as the NIST, hosted an industry day to challenge the private sector to make a smaller, faster, and more accurate 10-print capture device. We are working with industry to help design new capture devices that meet DHS's basic operational requirements at primary inspection. Advances in technology will allow DHS and State to routinely

collect 10 slap prints, without negatively impacting the thousands of international visitors that pass though our ports and visa issuing posts every day.

The joint DHS/DOJ/DOS Integrated Project Team has agreed upon three phases to achieving interoperability: (1) an interim data sharing model (data sharing solution); (2) initial operating capability (IOC); and (3) full operating capability (FOC).

The interim solution will consist of a prototype (also known as the interim data sharing model) that is a first step toward achieving the new interoperable environment between IDENT and IAFIS. The interim solution will allow for two-way sharing of certain biometric information. FBI will provide information on all wants and warrants. DHS will provide information on expedited removals. DOS will provide Category 1 visa refusals (e.g., generally one involving a permanent ground of inadmissibility). DHS and FBI's CJIS Division formally started the first phase on February 1, 2006, and it will be completed by the end of fiscal year 2006.

During the next phase—the initial operating capability (IOC)—DOS and DHS will begin to collect 10-prints; and DHS will convert the current two-print DHS IDENT system to store and utilize 10-flat prints in processing. DHS and FBI will establish an infrastructure for exchanging information and search capabilities.

Finally, the full operating capability (FOC) includes full information sharing, subject to controlling laws and policy; high performance searches of biometric data in both IDENT and IAFIS for positive identification; increased matcher performance appropriate to the increased volumes; and more comprehensive biographic/case data sharing.

Question. What are the estimated costs to achieve this capability?

Answer. The fiscal year 2007 Budget includes $60 million for IDENT/IAFIS interoperability and 10-print deployment.

Question. Do you have the necessary resources this year to implement your plan?

Answer. Yes. The fiscal year 2007 Budget includes $60 million for the 10-print and IDENT/IAFIS interoperability projects.

DHS–FBI INTERACTION

Question. In a June 1, 2005 letter I received from Attorney General Gonzalez, he stated that "DHS will migrate to the uniform biometric standard of 10 flat prints for enrollment and background checks. In addition, the FBI changed its business process to provide fingerprints of Known or Suspected Terrorists to the DHS daily." And on July 13, 2005, Secretary Chertoff announced his decision to enroll visitors using ten prints. I am pleased to see that after more than 2 years of urging, this level of cooperation is finally bearing results.

The FBI is upgrading its IAFIS system. What impact, does the FBI system upgrade have on US VISIT?

Answer. IDENT/IAFIS interoperability will increase DHS and DOS's ability to screen individuals, increase the accuracy of matching, and provide greater ability to match against latent prints. Integration will also benefit the FBI and other law enforcement organizations by providing them with increased access during the interim solution to information on high-risk individuals to whom DOS refused a visa and those whom DHS has expeditiously removed.

The first phase of interoperability—the interim solution—will consist of a prototype (also known as the interim data sharing model) that is a first step toward achieving the new interoperable environment between IDENT and IAFIS. The interim solution will allow for two-way sharing of certain biometric information. FBI will provide information on all wants and warrants. DHS will provide information on expedited removals. DOS will provide Category 1 visa refusals (e.g., generally one involving a permanent ground of inadmissibility). This will be completed in fiscal year 2006.

During the next phase, the initial operating capability (IOC), DOS and DHS will begin to collect 10-prints; and DHS will convert the current two-print DHS IDENT system to store and utilize 10-flat prints in processing. DHS and FBI will establish an infrastructure for exchanging information and search capabilities.

IMMIGRATION STATISTICS

Question. One of the benefits of the US VISIT program, once it is fully operational, will be the ability to determine whether individuals who have been allowed entry into the United States have overstayed their visas. This would be a major step forward toward gaining control of our immigration system and management of our borders. However, some skeptics of the US VISIT program have complained that the Department has deliberately slowed development and implementation of the "exit" component of US VISIT because you do not want to know the true volume of visa

overstays in part because the Department lacks the resources to round up the large number of visa violators. What is your reaction to these comments?

Answer. There is a substantial effort ongoing in DHS to determine the true volume of visa overstays led by ICE's CEU. This unit provides a listing of possible overstays on a weekly basis that has led to the arrest by ICE of 122 individuals (January 2004 through January 5, 2006). DHS wants an accurate count of visa overstays and exit will help improve the current information available.

Question. Do you believe that your office is collecting as much information on visa overstays as it can at this point?

Answer. Yes. Through the use of CBP Form I–94, passenger manifests transmitted through APIS, and data from our exit pilots, US VISIT is collecting as much information on visa overstays as current system capabilities allow.

US VISIT provides ICE's CEU with a listing of possible overstays on a weekly basis. This exchange of information has led to the arrest by ICE of 122 individuals (January 2004 through January 5, 2006) who have overstayed the terms of their admission.

BIOMETRIC PERFORMANCE

Question. I know that biometric identification technology is the backbone of the US VISIT system and that, in fact, US VISIT represents the largest-scale application of biometrics in the world. Now that US VISIT has been in operation for nearly 2 years, can you tell us just how well biometrics have performed, and what other technologies are you contemplating using as part of the program?

Answer. US VISIT has fulfilled the legislative mandate for completing the deployment of biometric entry capabilities at all ports and visa-issuing posts of the United States. This program verifies each visitor's identity and compares the visitor's biometric and biographical information with watch lists of terrorists, criminals, and immigration violators. Achievements for the biometric program include:

—Deployment on December 29, 2004, of initial operational biographic and biometric entry functionality in the secondary inspection areas, providing enhanced biographic and biometric identity verification, and enhanced lookouts, and watch list checks.

—Implementation of functionality at all ports of entry on October 26, 2005, for producing U.S.-issued passports with an integrated circuit ship capable of storing biographic information from the data page of a passport, a digitized photograph, and any other biometric information required in travel documents.

—Deployment of biometric entry capabilities at the top 50 land border ports, and the remaining 104 land border ports of entry in December 2005.

In addition, the introduction of biometrics to the visa issuance process (BioVisas) at DOS consular posts worldwide, and upon admission at the air and sea ports of entry (and upon exit at selected ports), has produced results.

Preentry.—During fiscal year 2005, 5,813,789 finger scans and photographs were collected and checked against biometric watch list records during the visa application process at consular posts overseas. These checks resulted in 8,278 matches to derogatory information. DOS uses any derogatory information from watch list matches, or "hits," as one source of data, together with its review of information provided on the visa application and information gained during the visa interview, to make an informed decision whether to grant or deny a visa.

The biometrics and visa data collected by DOS during the visa application process are also transmitted to DHS systems for verification of identity when an individual granted a visa applies for admission at a U.S. port of entry. This has significantly improved the Department's ability to detect visa fraud for those issued a visa under the biometric visa program, preventing imposters from entering the United States using a visa that was issued to someone else.

Entry.—During fiscal year 2005, 30,200,086 travelers went through the US VISIT biometric process at the ports of entry. This process resulted in 4,153 matches against biometric watch list records and 583 adverse actions. Examples of some of the more significant matches were for individuals convicted of murder, rape, child molestation; drug trafficking, manslaughter, visa fraud, and immigration violations. Significantly, these enhanced processes—taking digital finger scans—account for only 10–15 seconds, on average, of the primary inspection process.

US VISIT is also able to identify frequent travelers with no criminal history or other adverse record. By associating biometric identities to travel documents, US VISIT was able to successfully identify 9,436,290 travelers during the primary inspection process as repeat travelers, verifying their identity as individuals who were previously admitted to the United States presenting the same travel documents.

All of this had to be accomplished without negatively impacting wait times at primary inspection. Implementing 10-prints will only enhance the Department's ability to prevent false positive matches (identification mistakes), check travelers against latent fingerprints, and deny entry to criminals and terrorists.

US VISIT is exploring new technology to improve security and traveler facilitation at our ports of entry. We are working with Australia, New Zealand, and Singapore to pilot test e-Passport readers. The test began January 15, 2006, and will run through late spring of this year. US VISIT is also testing the use of RFID technology to track entry and exit at select land ports.

As a result, border management personnel will have extensive and additional information available to support the pre-entry, entry, status management, exit, and analysis processes.

DATABASE INTEROPERABILITY MILESTONES

Question. The 9/11 Commission and various legislation enacted since 9/11 have all called for greater interoperability between the many databases various Federal agencies use to identify people on our criminal watch lists or visa overstay lists. US VISIT is well underway with its effort to create interoperability between its Automated Biometric Identification System (or IDENT) and the FBI's Integrated Automated Fingerprint Identification System (or IAFIS). What can you tell us about the milestones that process has reached so far, and what do you see ahead?

Answer. The joint DHS/DOJ/DOS Integrated Project Team has agreed upon three phases to achieving interoperability: (1) an interim data sharing model (data sharing solution); (2) initial operating capability (IOC); and (3) full operating capability (FOC).

The interim solution will consist of a prototype (also known as the interim data sharing model) that is a first step toward achieving the new interoperable environment between IDENT and IAFIS. The interim solution will allow for two-way sharing of certain biometric information. FBI will provide information on all wants and warrants. DHS will provide information on expedited removals. DOS will provide Category 1 visa refusals (e.g., generally one involving a permanent ground of inadmissibility). DHS and FBI's CJIS Division formally started the first phase on February 1, 2006, and will be completed by the end of fiscal year 2006.

During the next phase—the IOC—DOS and DHS will begin to collect 10-prints and DHS will convert the current two-print DHS IDENT system to store and utilize 10-flat prints in processing. DHS and FBI will establish an infrastructure for exchanging information and search capabilities.

Finally, the FOC includes full information sharing, subject to controlling laws and policy; high performance searches of biometric data in both IDENT and IAFIS for positive identification; increased matcher performance appropriate to the increased volumes; and more comprehensive biographic/case data sharing. e-Passports

Question. US VISIT has worked side-by-side with the State Department to develop what's known as the e-Passport both for visitors traveling here under the Visa Waiver Program and for our own citizens. What is the status of e-Passport development, and how will this affect travel to and from the United States?

Answer. A U.S. Electronic Passport (e-Passport) is a passport with information from the passport's data page stored on an integrated circuit chip embedded within the passport book. Standards for the manufacture of e-Passports are set by the International Civil Aviation Organization (ICAO). E-Passports are a significant step forward in security as they can eliminate numerous types of passport fraud.

Many countries, including the United States, are developing e-Passports for issuance and use during 2006. Last summer, Secretary Chertoff announced that as of October 26, 2006, DHS policy would require that travelers from all Visa Waiver Program (VWP) countries possess an e-Passport to be considered for admission if that passport was issued on or after that date. DHS will be deploying e-Passports readers to U.S. ports of entry by October 26. Accordingly, VWP countries are expected to be in full e-Passport production by October 2006.

DHS is working with VWP countries by offering its readers for testing purposes so that they can correct any errors prior to beginning full e-Passport production. The U.S. readers are ICAO-compliant, so countries can be assured that their passports meet international standards. To date, the United States has "certified" six VWP countries and expects many more e-Passport exemplars to arrive in the coming months from remaining countries.

Question. What impact will it have on U.S. citizens?

Answer. The e-Passport is being proposed by DOS. State has announced that the proposed e-Passport is the same as a traditional passport with the addition of a small integrated circuit ("chip") embedded in the back cover. The chip will store the

same data visually displayed on the data page of the passport, a biometric identifier in the form of a digital image of the passport photograph (which will facilitate the use of face recognition technology at ports of entry), the unique chip identification number and a digital signature to protect the stored data from alteration. At ports of entry, U.S. citizens would present their e-Passports just as they present their current passport. CBP Officers would use the special features of the e-Passport to confirm the identity of the person presenting the passport.

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

IMMIGRATION AND CUSTOMS ENFORCEMENT LAW ENFORCEMENT SUPPORT CENTER

Question. The ICE Law Enforcement Support Center (LESC) has a voluminous database on criminal illegal aliens as well as absconders. The Center is on-line 24 hours a day, 365 days a year, responding to inquires from local and state law enforcement in all 50 states. Last year, the LESC issued detainers on over 16,000 individuals.

The LESC would seem to have a vast amount of information that should be incorporated into the US VISIT program. Has the LESC database been incorporated into US VISIT?

Answer. The LESC is an analytical center that has access to the many immigration-related databases. The employees of the LESC are highly skilled in their ability to research these databases to determine persons of interest. As a person is determined to be of interest, this information is shared with the Federal screening systems including US VISIT.

Question. What cooperation and coordination, if any, has there been between the US VISIT database and the criminal alien databases that are located at the Law Enforcement Support Center?

Answer. The LESC is responsible for the immigration violator's file that resides in National Crime Information Center (NCIC). When an individual is placed in the immigration violator file and also has fingerprints on file, they are also placed on the US VISIT watch list. If positive identification is made through one of the US VISIT processes—preentry, entry, status management, or exit—a decision maker would have available the information provided by the LESC.

Question. If there has been coordination between these two programs, what role will the LESC play in supporting US VISIT in the future?

Answer. US VISIT will continue to work closely with LESC and all agencies on improved integration and sharing of information.

WESTERN HEMISPHERE TRAVEL INITIATIVE

Question. Last week, Secretary Chertoff spoke about a new "People Access Security Service," or "PASS System Card," which is designed to serve as a passport equivalent for U.S. citizens who frequently cross into Canada or Mexico. This PASS Card will comply with the requirements of the Western Hemisphere Travel Initiative, a law that requires individuals to show a passport or its equivalent at land border crossings beginning January 1, 2008.

I have expressed serious concerns about the impact of the WHTI in Northern Border States, including Vermont, particularly with regard to tourism, trade, and cross-border community ties.

Currently, most Canadian citizens are not required to participate in the US VISIT screening program when they enter the United States. Will the implementation of the WHTI result in any modification of this policy?

Answer. DHS is aggressively working with DOS and the governments of Canada and Mexico to ensure that the implementation of the Western Hemisphere Travel Initiative (WHTI) does not slow cross-border travel and trade.

Question. Administration officials from the Departments of State and Homeland Security frequently mention consultation with the Canadian government with regard to the Western Hemisphere Travel Initiative. Please provide greater detail about current discussions with the Canadian Government. Is the Canadian Government developing a passport alternative that will meet the land border crossing requirements of the WHTI?

Answer. Through the Security and Prosperity Partnership, government representatives from the United States and Canada have been meeting and working together to discuss both short and long-range issues that affect both our countries. We have established working groups to promote further collaboration in certain areas, including developing recommendations for lower-cost, secure proof of status and nationality documents that would facilitate cross-border travel.

Question. If so, when does Canada expect to make such documents available to Canadian citizens who wish to travel to the United States?

Answer. We have established working groups to promote further collaboration in certain areas, including developing recommendations for lower-cost, secure proof of status and nationality documents that would facilitate cross-border travel.

QUESTIONS SUBMITTED TO RANDOLPH C. HITE

QUESTIONS SUBMITTED BY SENATOR JUDD GREGG

Question. What aspects of US VISIT has the department not addressed?

Answer. Congress has required that DHS develop and implement an electronic entry and exit system at all ports of entry (POE).[1] Specifically, DHS was to implement an entry and exit capability to air and sea ports of entry by December 31, 2003; to the 50 busiest land POEs by December 31, 2004; and to all remaining POEs by December 31, 2005. As of December 2005, DHS has deployed an entry capability to all POEs, consistent with legislative requirements, but most notably, it has not implemented an electronic exit capability at all air, sea, and land POEs.

In its fiscal year 2005 US VISIT expenditure plan, DHS committed to deploying an electronic exit capability to air and sea POEs by September 30, 2005. However, as of January 2006, DHS's implementation of this capability has been limited to pilot testing at 11 air and sea POEs, and the department has not yet decided how or when to deploy it further. According to program officials, such implementation would take at least 6 months from the time of a decision.

As of January 2006, the department is evaluating the feasibility of an electronic exit capability at land POEs. Specifically, in August 2005, DHS deployed technology to three land POEs to verify the feasibility of using passive radio frequency tags at the primary inspection and exit lanes.[2] This tag includes a unique ID number that is to be embedded in each entry/exit form, thus associating a unique US VISIT number with a form issued to a person when entering the country. According to the program official responsible for Increment 2C, the results of this demonstration have been evaluated. However, we have not yet received a copy of the evaluation.

Question. In GAO's review of the fiscal year 2005 expenditure plan, there were specific concerns raised about the cost-benefit analysis developed for US VISIT. How could the cost-benefit analysis be improved?

Answer. According to OMB guidance, individual increments of major systems are to be individually supported by analyses of benefits, cost, and risk.[3] In addition, OMB guidance on the analysis needed to justify investments states that such analysis should meet certain criteria to be considered reasonable.[4] These criteria include, among other things, comparing alternatives on the basis of net present value and conducting uncertainty analyses of costs and benefits. We previously reported that US VISIT had not assessed the costs and benefits of its program increments. Accordingly, we recommended that DHS determine whether proposed US VISIT increments will produce mission value commensurate with costs and risks.

In February 2005, we reported that the program office had not justified its investment in Increment 2B (which provides the entry capability for electronic collection of traveler information at land POEs), because its treatment of both benefits and costs was unclear and insufficient.[5] Since our February 2005 report, the program has developed a cost-benefit analysis for Increment 1B (which is to provide exit capabilities at air and sea ports of entry). Similar to the Increment 2B cost-benefit

---

[1] Immigration and Naturalization Service Data Management Improvement Act of 2000, Public Law 106–215 (June 15, 2000); Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT Act) Act of 2001, Public Law 107–56 (Oct. 26, 2001); and Enhanced Border Security and Visa Entry Reform Act of 2002, Public Law 107–173 (May 14, 2002).

[2] Radio frequency technology relies on proximity cards and card readers. Radio frequency devices read the information contained on the card when the card is passed near the device and can also be used to verify the identity of the cardholder.

[3] OMB, Planning, Budgeting, Acquisition and Management of Capital Assets, Circular A–11, Part 7 (Washington, DC: June 21, 2005).

[4] OMB, Guidelines and Discount Rates for Benefits-Cost Analysis of Federal Programs, Circular A–94 (Washington, DC: Oct. 29, 1992).

[5] For example, the cost-benefit analysis identified two categories of quantifiable benefits, but gave no quantitative or monetary estimates for those benefits. Instead, the analysis addressed two categories of benefits said to be nonquantifiable: strategic alignment benefits (such as the improvement of national security and the promotion of legitimate trade and travel) and operational performance benefits (such as improvement of traveler identification and validation of traveler documentation). However, it did not explain why those benefits could not be quantified.

analysis, this latest analysis, dated June 23, 2005, meets only some of OMB's criteria for economic analyses. For example, it explains why the investment was needed, and it shows that at least two alternatives to the status quo were considered. However, the analysis does not include a complete uncertainty analysis for the three exit alternatives evaluated, which is important to providing decision makers with a perspective on the potential variability of the cost and benefit estimates should the facts, circumstances, and assumptions change.

To improve its cost-benefit analyses, it is important that the program office adhere to relevant guidance. If this is not done, the reliability of the analyses is diminished, and an adequate basis for making prudent investment decisions does not exist.

Another area in which US VISIT cost-benefit analyses can be improved is the quality of the cost assessments on which they are based. As we previously reported, the cost estimate associated with the June 2005 cost-benefit analysis, for example, did not meet key criteria for reliable cost estimating. In particular, it did not include a detailed work breakdown structure, which serves to organize and define the work to be performed, so that associated costs can be identified and estimated.

Program officials report that they have initiated actions to more reliably estimate the costs of future increments. For example, the program has chartered a cost analysis process action team, which is to develop, document, and implement a cost analysis policy, process, and plan for the program. Program officials also stated that they have hired additional contracting staff with cost-estimating experience.

Strengthening the program's cost-estimating capability is extremely important. The absence of reliable cost estimates impedes, among other things, both the development of reliable economic justification for program decisions and the effective measurement of performance.

Question. Have you seen an improvement in metrics being used by US VISIT to determine the benefits?

Answer. Measurements of program progress and outcomes are important for demonstrating that the program is on track and is producing results. Without such measurements, program performance and accountability can suffer. To better ensure that US VISIT meets its expectations, we made a recommendation to DHS to fully disclose, among other things, the benefits to be delivered with US VISIT. However, based on our reviews of US VISIT expenditure plans, US VISIT has made limited progress in defining and measuring program benefits.

In the US VISIT fiscal year 2004 expenditure plan, US VISIT identified seven benefits for the program: two examples are (1) preventing the entry of high-threat or inadmissible foreign nationals through better and/or advanced access to data before their arrival and (2) improving enforcement of immigration laws through enhanced data accuracy and completeness. The plan also identified metrics for three of the seven benefits, including the two examples above, and stated that the program was developing metrics for measuring the projected benefits, including baselines against which progress can be assessed. However, the fiscal year 2005 expenditure plan did not include any information on these metrics or on progress made on achieving benefits. Further, the plan stated that performance measures were still under development.

In the absence of defined metrics, the fiscal year 2005 expenditure plan identified examples of how US VISIT is addressing its four stated goals. However, the examples largely described US VISIT functions rather than measures of goal achievement. For example, in support of the stated goal of ensuring the integrity of our immigration system, the plan stated that through US VISIT, officers at primary inspection can instantly search databases of known criminals and known and suspected terrorists. It did not, for example, explain how promised immigration system integrity improvements would be measured.

Question. What progress have you seen in the development of performance measures?

Answer. To ensure that a system adequately supports mission operations, it is important to establish measurements of the system's operational performance. Thus far, the US VISIT program has made limited progress establishing such measurements. For example, we reported in September 2003 that the operational performance of the initial US VISIT system increments was largely dependent on the performance of existing systems that were to be interfaced to create these increments. In particular, we said that the performance of an increment would be constrained by the availability and downtime of the existing systems, some of which had known problems in these areas. Accordingly, we recommended that DHS define performance standards for each increment that are measurable and that reflect the limitations imposed by this reliance on existing systems.

In February 2005, we reported that several technical performance standards for increments 1 and 2B had been defined, but that it was not clear that these standards reflected the limitations imposed by the reliance on existing systems. Since then, the program office has defined certain other technical performance standards for the next increment (Increment 2C, Phase 1), including standards for availability. Consistent with what we reported, the functional requirements document states that these performance standards are largely dependent upon those of the current systems. For system availability, this document sets an aggregated availability standard for Increment 2C components. However, it does not contain sufficient information for us to determine whether these performance standards actually reflect the limitations imposed by reliance on existing systems.

To further develop performance standards, the program office has prepared a Performance Engineering Plan, dated March 31, 2005, that links US VISIT performance engineering activities to its System Development Life Cycle. The plan (1) provides a framework to be used to align the program's business, application, and infrastructure performance goals and measures; (2) describes an approach to translate business goals into operational measures, and then to quantitative metrics; and (3) identifies system performance measurement areas (effectiveness, efficiency, reliability, and availability). According to program officials, they intend to establish a group to develop action plans for implementing the engineering plan, but they did not have a time frame for developing these plans.

Question. One of GAO's prior recommendations was for US VISIT to develop a risk management plan, and to report all high risks and their status to an executive body. Earlier this year, the risk management plan had been partially implemented. Have you seen evidence that US VISIT is managing its risks well?

Answer. Risk management is a continuous, forward-looking process that is intended either to prevent possible problems from occurring or to minimize their impact if they occur by proactively identifying risks, implementing risk mitigation strategies, and measuring and disclosing progress in doing so. A related key to successfully managing risks is to develop a plan and process for identifying, analyzing, mitigating, and monitoring risks. Accordingly, we recommended in September 2003 that US VISIT develop and implement a risk management plan.

Since then, US VISIT has taken several actions to implement this recommendation and to strengthen risk management. For example, the program office has

—developed and has begun implementing a risk management plan that includes, among other things, a process for identifying, analyzing, handling, and monitoring risk;

—defined a governance structure to oversee and manage the process;

—established a risk database that includes, among other things, a description of the risk, its priority (e.g., high, medium, or low), and its mitigation strategy; and

—developed risk management training and provided this training to program personnel beginning in November 2005.

Notwithstanding these steps, US VISIT has not yet fully implemented its risk management plan and process. As part of an assessment of its process maturity, the US VISIT program office found that the risk management process detailed in its plan was not being consistently applied across the program. In response, program officials stated that they have developed risk management training and began conducting training sessions in November 2005.

In responding to these questions, we relied on past work related to our reviews of US VISIT's program management. We conducted this past work in accordance with generally accepted government auditing standards.

CONCLUSION OF HEARING

Mr. WILLIAMS. Mr. Chairman, if I may say, and to Ranking Member Byrd, I really appreciate the pat on the back. I work with, frankly, an incredible team of dedicated Government officials and contract officials, people who just work around the clock to make this work. Some of the people are here with me today and it is my honor to work with them. I will convey your words back to the team. So I appreciate that.

Senator GREGG. Thank you, and thank you for your time today.

The hearing is recessed.

[Whereupon, at 11:34 a.m., Wednesday January 25, the hearing was concluded, and the subcommittee was recessed, to reconvene subject to the call of the Chair.]

○