Immigration:

Electronic Visa Application Begins for Visa Waiver Countries

Remarks by Homeland Security Secretary Chertoff, Slovak Interior Minister Kalinak, and Deputy Attorney General Filip, October 8, 2008[1]

Secretary Michael Chertoff, Minister Robert Kalinak, and Deputy Attorney General Mark Filip delivered these remarks in Washington, DC

Secretary Chertoff. This is a very auspicious occasion. It's the second time we've signed an agreement here. And of course, this is the agreement that the Department of Justice and Department of Homeland Security is signing with the Minster of the Interior for preventing and combating serious crime, which, of course, is a very good thing. I'm delighted to have the Minster of Interior, my friend, here visiting with us and, of course, the Deputy Attorney General, as well.

And I want to begin by expressing my appreciation for our Slovakian counterparts, as we work together to bring the Slovak Republic into the Visa Waiver Program, which of course will benefit both our freedom-loving people. You'll recall when we were here in March, we signed our memorandum of understanding, which was one significant step forward in implementing the possibility of entering this visa waiver program. And by signing today's agreement relating to preventing and combating serious crime, we're taking another major step forward to the goal of expanding the Visa Waiver Program and welcoming the Slovakian people into the program.

What this agreement will do is it will enable law enforcement officials on both sides of the Atlantic to investigate crime more efficiently and more quickly and will help us work together to prevent criminals and terrorists from traveling. Now, this is not a new concept. Sharing law-enforcement information is a fundamental tool that we have used for years to combat transnational crime and to prevent terrorism. And I want to take this opportunity to acknowledge a similar agreement that we signed recently with Germany.

In fact, in the European Union, the member states themselves have an information-sharing agreement known as the Prüm Convention, which deepens and broadens their security cooperation. And that's the model we want to use with our friends and allies in Europe and around the world.

So before I turn it over to the Minister, I want to emphasize that we remain committed to Visa Waiver Program expansion at the earliest opportunity. That, of course, is enabled by two things: our allies doing their part, just as the Republic—Slovak Republic has done today, and our doing our part, which we are, of course, carrying out by implementing our Electronic System for Travel Authorization. So I look forward to a day hopefully in the not-too-distant future where we can welcome Slovaks into visa-free travel, as we also hope to do with a number of other countries.

Most important, what we're doing is we are strengthening the ties between two freedom-loving peoples, and we are strengthening the bands of cooperation that enable us to fight against dangerous people who will travel between our countries to do citizens of each country harm. So it's a very good day for freedom-loving and law-abiding people. Mr. Minister.

Minister Kalinak. Thank you very much, Mr. Secretary. Ladies and gentlemen, we have arrived to the end of a long journey. By signing this agreement, we've accomplished our long-term efforts to prepare Slovakia to enter the U.S. Visa Waiver Program. Finding our accession to the shining area that made Europe open up to us, we are now close to the point where Slovaks will be able to freely travel to the U.S.A. That is desire that we have had for so many years. We thought, in 1989, free travel was fiction beyond our wildest dreams. Only now, we have changed this historic moment.

The latest development in the U.S.-Slovak relations reaffirms that Slovakia is a highly respected country and reliable partner not only to Europe, but also on a global scale. We wish to convey our gratitude to the U.S.A. for opening these doors to us, and we stay optimistic. And with high self-esteem, we hope that we will be able to convey our happy message to all the citizens of Slovakia, maybe soon. And I would like to say that this agreement will make our two respective countries more safe, and our friendship will be the more stronger. Thank you.

Deputy Attorney General Filip. I'm very honored to join both Secretary Chertoff and Minister Kalinak today in signing this agreement between the United States and the Republic of Slovakia to prevent and combat crime. It's also a great honor to be here with Ambassador Obsitnik.

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

This bilateral instrument is important not only for visa waiver purposes, but in it's own right, giving the criminal law enforcement authorities in our two respective countries an important new tool to fight transnational crime, including terrorism. Also important are the protections for privacy and civil liberties that are built into the agreement.

Additionally, this agreement provides a proactive mechanism to enable further appropriate sharing of information concerning elements, suspected criminals, and terrorists. And in all, this agreement symbolizes our joint resolve between our two great nations and great friends to stem the growth of international crime and terrorism.

It also is an important milestone—Secretary Chertoff and the rest of us were discussing this earlier, and he wisely pointed it out. It's also an important milestone marking the growth of liberty. I had the privilege of visiting Slovakia many years ago in 1990. It is, as the Minister explained it, a different country in many respects now than it was then. And it is a more free and wonderful place even than it was then, and it's a great day for both our countries and for the progress of liberty in the world.

Minister Kalinak explained that Slovakia is highly respected nation and partner of the U.S. We certainly view Slovakia that way at the Justice Department. I know the Department of Homeland Security does, as well. So for the growth of liberty and the efforts made by both Americans and Slovaks and Slovak-Americans, it's a wonderful day for our two nations and for the world in that regard. So it really is an honor to be here and thank you all very much.

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Q. Yes, I can ask about one question. My name is [inaudible] from Slovakia. I want to ask you if you were talking with Mr. Kalinak about exact date, or maybe it's a day when Czech Republic and maybe Hungary will become member of visa program as well?

Secretary Chertoff. Well, of course we—we are working with not only the Slovak Republic but the Czech Republic and Hungary and other countries to move to the point of admission to the program. I can't give you a precise date yet, but I think that our partners overseas have accomplished what they need to accomplish. We have some things that we need to finish up, but I'm optimistic that we're talking about something that's going to happen in the very near future.

Q. Yes, thank you. Is it likely that more countries, Slovakia and its neighbors, will be admitted to the program at the same time?

Secretary Chertoff. Well, we're talking to a number of different countries at various stages of progress. We're hopeful that at least a certain number can be admitted in the first group, and maybe another number in the second group. But until we've got everything all arranged, I don't want to raise expectations too much. But I do think we are very close to being able to make some admissions, and we're working very hard to achieve that goal which I know is important to both our friends overseas and ourselves.

Remarks by President Bush, October 17, 2008[2]

President George W. Bush delivered these remarks in Washington, DC

President Bush. Thank you all. Please be seated, thank you. Welcome to the White House. I'm pleased to stand with the representatives of seven countries—the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Slovakia, and South Korea—that have met the requirements to be admitted to the United States Visa Waiver Program. Soon the citizens of these nations will be able to travel to the United States for business or tourism without a visa. I congratulate these close friends and allies on this achievement, and I thank you for joining us here.

I also thank Secretary of State Condoleezza Rice and Secretary of the Homeland—Department of Homeland Security Michael Chertoff for working hard to make sure this day has finally arrived. Appreciate other members of the administration here and members of the Diplomatic Corps.

All of the nations represented here today allow American citizens to travel to their countries visa-free. The United States has not accorded their citizens the same privilege. For years the leaders of these nations have explained to me how frustrating it is for their citizens to wait in lines and pay visa fees to take a vacation or make a business trip or visit their families here in the United States. These close friends of America told me that it was unfair that their people had to jump through bureaucratic hoops that other allies can walk around.

I told them I agree with them. I also told them that in the world after September 11th, we could only expand travel opportunities if we increased security measures at the same time. So nearly two years ago, my administration asked Congress to modernize our Visa Waiver Program in a way that accomplished both of these goals. I appreciate the bipartisan support this initiative has received on Capitol Hill. My administration worked with Congress to pass a law allowing us to admit new countries to the Visa Waiver Program. These countries agree to share information about threats to our people. They also agree that their citizens use a new system that requires travelers to register online ahead of their visits to the United States. These citizens will travel to the United States only if they have tamper-proof biometric passports. I'm grateful to the dedicated officers from the United States and our allies who worked hard to complete the agreements to meet these new requirements.

Because of this good work, Homeland Security Secretary Michael Chertoff has notified our Congress that the administration intends to use its new authority to admit seven countries into the Visa Waiver Program. In about a month, we will be proud to extend to citizens of these seven countries the privilege of visa-free travel.

Today's announcement signifies a new chapter in the relationship between the United States and your nations. It is a testament to the strong bonds of friendship

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

that unite our people.

This is a significant achievement, but it is only the start. A number of America's other close friends are participating in a process called the "visa waiver road map" that is helping them qualify for the Visa Waiver Program. I welcome the ambassadors from these "road map" countries—Bulgaria, Cyprus, Greece, Malta, Poland, and Romania. We thank you for coming today. We thank you for your friendship. And we look forward to the day when your countries join the Visa Waiver Program.

I believe the best foreign policy for America is one that lets people from other countries get to know this country firsthand. Throughout our history, some of the strongest advocates of freedom have been those who came to America and saw the blessings of liberty with their own eyes. Extending this opportunity to some of our closest allies deepens our friendship and makes all our countries safer. I'm grateful to all the countries here for seeking to strengthen the ties between our citizens. I look forward to even stronger partnerships in the years ahead.

Thank you for coming.

White House Statement, October 20, 2008[3]

Memorandum for the Secretary of State

Subject: Presidential Determination with Respect to Foreign Governments' Efforts Regarding Trafficking in Persons

Consistent with section 110 of the Trafficking Victims Protection Act of 2000 (Division A of Public Law 106-386), as amended, (the "Act"), I hereby:

* Make the determination provided in section 110(d)(1)(A)(i) of the Act, with respect to Burma, the Democratic People's Republic of Korea (DPRK), and Syria, not to provide certain funding for those countries' governments for Fiscal Year 2009, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

* Make the determination provided in section 110(d)(1)(A)(ii) of the Act, with respect to Cuba and Iran not to provide certain funding for those countries' governments for Fiscal Year 2009, until such government complies with the minimum standards or makes significant efforts to bring itself into compliance, as may be determined by the Secretary of State in a report to the Congress pursuant to section 110(b) of the Act;

* Make the determination provided in section 110(d)(3) of the Act, concerning the determination of the Secretary of State with respect to Moldova and Oman;

* Determine, consistent with section 110(d)(4) of the Act, with respect to Algeria, Fiji, Kuwait, Papua New Guinea, Qatar, Saudi Arabia, and Sudan, that provision to these countries' governments of all programs, projects, or activities of assistance described in sections 110(d)(1)(A)(i) and 110(d)(1)(B) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States;

* Determine, consistent with section 110(d)(4) of the Act, with respect to the DPRK, that a partial waiver to allow funding for programs described in section 110(d)(1)(A)(i) of the Act that support the goals of the Six-Party talks would promote the purposes of the Act or is otherwise in the national interest of the United States; and

* Determine, consistent with section 110(d)(4) of the Act, with respect to Iran, that a partial waiver to allow funding for educational and cultural exchange programs described in section 110(d)(1)(A)(ii) of the Act would promote the purposes of the Act or is otherwise in the national interest of the United States.

You are hereby authorized and directed to submit this determination and the certification required by section 110(e) of the Act to the Congress and to publish this determination in the Federal Register.

Remarks by Homeland Security Secretary Chertoff, October 23, 2008[4]

Secretary Michael Chertoff delivered these remarks in Washington, DC

Secretary Chertoff. Good morning everybody. I recognize Ralph Basham and Julie Myers, who are head of Customs and Border Protection and Immigration and Customs Enforcement. Obviously, their agencies play a major role in how we deal with the border and the issue of illegal migration, as well as in conjunction with Citizenship and Immigration Services for legal migration as well.

As you know, over the last year we have provided State of Immigration addresses to the American people highlighting our efforts to secure our border, enforce our national immigration laws, and improve temporary worker programs, and legal migration. This is the fourth address and it comes at the close of the fiscal year that ended on September 20, 2008. It gives us an opportunity, at this point, to step back and assess our progress over the last past year using a variety of different measurements and also to look back over five years since the department was created in 2003.

I think what will be evident, if you have an objective evaluation of the facts, is that we have achieved a tremendous amount over many fronts in turning the tide on illegal immigration. We developed a comprehensive multi-year strategy for dealing with the issue of illegal migration, we have implemented that strategy, and today we are seeing positive results of our actions. In fact, we are seeing the kinds of results that the country hasn't seen for many years.

As I always do, I have to emphasize that to get the problems of illegal migration under control in a sustainable long-term way, it has to be part of comprehensive immigration reform so we take the economic pressure that drives migration illegally into this country, and we take some of that off the table, which makes it much easier for our enforcement agencies to do their job.

We have to work with the law, as it cur-

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

rently exists. Of course we have to assure the American public that we will enforce the law that is on the books. As a consequence, using existing laws and using existing tools as they may be, we have put our country on a path moving in the right direction, with respect to illegal migration. We have reversed the trend of increasing illegal immigration into our country, which I think is something that would not have been thought possible just a few years ago.

As part of our effort to refine the tools that we have available under existing law, and I want to take a moment at the outset of my remarks to make an announcement regarding our No-Match Rule. As many of you will recall, in August 2007 we published a final rule that outlines the reasonable steps an employer may take when that employer receives a no-match letter from the Social Security Administration that indicates an employee's name or social security number may not match the records in the database, or may be false, or misleading in some other way.

Basically, a no-match letter is a sign that something is wrong. It is either a sign that there is a mistake in the way the data is being kept and ought to be corrected, or, more seriously, it is a sign an employer has hired somebody who is providing a false social security, and or a false name, and is likely not authorized to work in this country. There can be innocent explanations for no-match letters as our regulation recognized. For example, someone may have gotten married and failed to update their last name. In that instance what the regulation indicates is you ought to correct the problem. That is in the interest of the employer, it is in the interest of the Social Security Administration, and, by the way, it is in the interest of the worker so that in ten, twenty, thirty years when the worker is expecting to get their social security, they don't discover that it has all been deposited in an account that belongs to someone else.

That problem can be dealt with as a clerical matter and everybody is going to be better off. But, there are many instances where the reason for a no-match is that we have an un-authorized worker using phony documentation. What the regulation would propose is that in that instance an employer cannot, simply put, put their head in the sand, but must take steps to ensure they are brought into compliance with the law.

Essentially, this is kind of an anti-ostrich regulation. It says you need to look at the facts, you need to make a reasonable effort to determine the truth, and you need to take appropriate steps. Unfortunately, after we issued the rule last year it was challenged in court and we were barred by the court from implementing it. That litigation continues, but rather than take the course of fighting the litigation through the various levels of appeal, we determined to look at what the court had criticized and see whether we could make corrections ourselves that would enable us to respond to the courts' concerns about the original rule.

Basically, a no-match letter is a sign that something is wrong.

As a consequence, in March of this year, we proposed a supplemental rule to address those concerns and we also provided a more detailed analysis of how we developed the No-Match Rule and what the consequences would be. Not surprisingly, we got a lot of comments with regards to the supplemental rule. I am pleased to say we have carefully considered the comments and that this week I signed the final rule that revises the original rule, addresses the issues that the court raised, and that will be published in the Federal Register in the coming weeks.

We will be notifying the judge that we have taken action to address the courts' concerns on the original rule, and we will ask the court to lift the injunction, and let us proceed with implementation of the rule immediately. Once the rule is in effect, it is going to give a very clear roadmap to businesses that receive no-match letters. It will say that there is a period of time in which you need to address the discrepancy with the employee. If there is an innocent explanation then it ought to be corrected. That is a matter of fairness to the worker. If there is not an innocent explanation and it is in fact the case that someone is using phony documents, and someone is not authorized to work, then you have to make sure you bring your employment situation into compliance with the law.

Having laid out what we are doing in today's announcement with no-match, let me go back and look generally at the landscape as it relates to illegal immigration. First, the fence. As we speak we have over 370 miles of pedestrian fence and vehicle fences that have been completed. Our goal was approximately 670 miles by the close of the year. I should say we have other miles that are currently under construction, but we are not counting those as completed until all the elements of construction and, essentially cementing the fence, have been undertaken.

We remain committed to achieving our goal of 670 miles of fencing in the areas that the border patrol has identified as operational priorities. Although for reasons I will explain briefly, we have experienced some delay. I believe at the end of the calendar year we can get close to our goal, in terms of miles that are actually finished, or under construction, or in some cases under contract. I believe by the time the administration has completed its term in January we will have the vast majority of this 670 miles either done, or close to being done, with actual physical work being completed on the ground.

The next element we have been looking at over the past year is Border Patrol agents. As you know, we committed to double the number of agents from what we had when the President first took office, which was about 9,000, to 18,000 plus by the end of this calendar year. Here I am pleased to say we are ahead of schedule. Our current table of organization indicates we have 17,628 border patrol agents and I am confident that we will be able to exceed our goal of 18,000 by the end of the calendar year.

We continue to rollout and deploy technology. Our Project 28 prototype is currently being used and continues to be refined. It has aided the Border Patrol in over 4,000 apprehensions of illegal migrants in the part of the border in the vicinity of Sasabe. It has also led to the

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

seizure of almost 8,000 pounds, 4 tons, of marijuana during the fiscal year 2008. We continue to work with the system and expect to be deploying the system in the Tucson sector early next year and subsequently expanding it to the Yuma sector.

In addition to this particular configuration of technology, SBInet contemplates a whole range of technological solutions to the border, therefore we can continue to deploy thousands of sensors along with ground-based mobile radar units, and fixed ground-based radar units. Those continue to deployed all along the border. We currently have four unmanned aerial systems that are operational and two more planned for delivery in the next few months.

Those are the inputs, so now let's talk about the results. With respect to apprehensions, we can see that fiscal year 2008, if we compare it to the prior fiscal year, reflects a 17 percent decrease in apprehensions. That is actually 40 percent less than in 2005. This is a clear indicator, but only one indicator, that enforcement is working, that fewer people are crossing, and that we are deterring people because we are making it more difficult.

More globally, Pew Hispanic Center recently issued its annual survey of where the country is with respect to lawful and unlawful immigrants. As you can see, for the first time since 2001, we actually have, according to Pew, at worst a completely flat rise in immigration meaning no increase, and likely a decrease in the net number of illegal migrants. Let me spell it out what that means. That means this is the first year for as long as many of us can remember, there has been no net increase in illegal immigration in this country. In fact, it is likely that there has been a net decrease in the number of illegal migrants in this country.

That means we are finally beginning to move the direction of illegal migration down rather than up. While it certainly does not suggest we can declare victory, it tells us for the first time that the efforts we are undertaking at the border have begun to turn the tide on illegal immigration and have begun to move that tide away from increased migration and towards decreased migration.

The fact that legal migration is now above illegal migration tells us there is more at work than just the economy. This is the positive result of enforcement, both at the border and the interior. Pew went on to say, "Inflows of unauthorized immigrants averaged 800,000 a year from 2000 to 2004, but fell to 500,000 a year if you average from 2005 to 2008 with a decreasing year-to-year trend. The unauthorized immigrant population grew more slowly in the period from 2005 to 2008 than it did earlier in the decade." Here are more specifics, "The number of unauthorized immigrants from Mexico appears to have leveled off since 2007. The number of undocumented immigrants from other Latin nations has fallen since 2007. A decade ago newly arrived unauthorized immigrants began to outnumber newly arrived legal permanent residents. The reverse now appears to be true." I commend you to read the report and get further enlightenment about what they have found.

Now, these issues of measuring population and measuring apprehension are not the only metrics showing we have begun to move the tide in a direction on decreasing illegal migration; remittances are down. According to a recent Inter-American Bank report, "For the first time this decade remittances to Latin America and the Caribbean and expected to decrease in value." The report goes on to say, "Until last year remittances to the region had grown by double-digits every year." The report attributes the decrease to, "More restrictive measures against illegal immigration," among other factors. The Bank of Mexico announced, for example, that remittances fell to $1.9 billion for August, which is a 12.2 percent drop from the same period in the prior year.

Finally, putting to one side all the numbers and statistics, if you open up the newspapers you increasingly see stories. Some of them are written by, frankly, people that are not sympathetic to the approach we are taking. They interview illegal migrants themselves. These stories repeatedly tell us that migrants are seeing the change in the enforcement climate and that is deterring them or discouraging them from trying to come into the country illegally. For example, there was a Financial Times headline on September 9, 2008 that in many ways sums it up, "Crack Down Turns Border Town into Ghost Town." In other words, a town south of the border, which had made a flourishing economy on staging and preparing people to cross illegally, now is out of business because people aren't going there anymore to try to cross the border.

Let me talk about a couple of other features about what we are doing at the border before we get to the interior. As you know, for several years we have ended catch and release. What that means now is, particularly those from countries other than Mexico who used to be caught and then released into the interior while waiting for deportation, only to disappear and never show up again. Those people are now held, detained, and removed. We have plugged a major incentive that was bringing people in illegally.

The metric that is an unhappy metric, but an accurate metric of our success, is the increase in violence that we have seen across the border as we have cracked down at the border. I know from my personal experience as a prosecutor, as well as what I have been told from the Border Patrol, that when it gets illegal organizations to smuggle just not human beings, but also drugs and other contraband, they start to fight with the enforcement authorities in order to preserve the illegal business, and they fight among themselves in order to hold a larger percentage of a dwindling pie of illegal proceeds.

Unfortunately, it is predictable but in some ways it is proof that we are having an impact. That violence is spiking at the border and south of the border as well. I need to, again, commend the fine work of the administration of President Calderon for taking a very aggressive approach in dealing with these organized criminal cartels that are a threat to the peace and safety of the people of Mexico as well as the United States.

Turning to the interior, I would like to feature some of the very positive progress we have made in tackling all the features of illegal immigration that pose problems in the interior of this country. Let's begin with gangs. We know transnational gangs, like MS-13, pose a clear threat to public safety. It is a threat because not only in many cases are they harboring illegal

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

immigrants, but because they are engaged in illegal narcotics activity and acts of violence, including murder.

The metric that is an unhappy metric, but an accurate metric of our success, is the increase in violence that we have seen across the border as we have cracked down at the border.

Through Operation Community Shield we have, in total, arrested more than 11,000 illegal alien gang members and their associates. Some of these serve time in prison before they get sent home, others get sent home directly. The point is, they are removed from the streets of American society. Over the past 4 months as part of this operation, we have had a surge of more than 1,700 arrests. If you look at the chart that is displayed, every year we have increased the number of arrests under this operation that is aimed at gang activity.

Fugitive operations. A fugitive is someone who has gone through the court process, a court has told them they must leave, and they have defied the court order and decided they are not going to leave the country. So it is not just a question of someone who is in the country illegally, it is someone who has been given a chance to go through the court process, and they have lost, and they have, basically, said to the judge that they are not going to obey their order. We have increased the number of fugitive operations teams dramatically. We currently have over 100. That has resulted in a record number of arrests to fugitives in fiscal year 2008, which is 34,000, several thousand above the prior fiscal year and double what was the case in 2006. That is a dramatic increase in removing fugitives and vindicating the authority of our courts to make decisions about who ought to be removed from the country. In respect to removals in general, we have set a record again in fiscal year 2008 with almost 250,000 removals. That is removing people who are illegally in the country and sending them back home.

Part of this strategy deals with work site enforcement. I recognize that is probably the part that gets the most attention in the press, although it is only one feature of all the other elements of the program I have outlined. Here again, this year was a record-breaking year for work site enforcement with over 5,100 administrative arrests and 1,100 arrests in work site cases. That compares with 4,000 administrative arrests and 863 criminal arrests in the prior year. If you look at the chart, you will see in the last 3 years there has been a total turn around in the number of arrests we have made, both on criminal charges and administrative charges based on work site enforcement.

This past year our criminal charges included 135 against employers, or people in the supervisory chain, and 966 against employees or others involved in criminal activity related to our work site enforcement. We have also raised fines to employers by 25 percent. At the same time as we have cracked down harder on employers and the work site, we have expanded the tools we are making available to employers who want to do the right thing.

E-Verify, which was our major upgrade and expansion of our pilot, has become a very popular program with people who are employing workers who want to make sure they are doing the right thing. We now have almost 100,000 employers and more than 90,000 currently participating. We basically add them at a rate of almost 1,000 per week. We have had 6.6 million queries of new hires since the programs' inception. We have added new capabilities, like a photo tool, that allows you to compare the photo of the person who is presenting documents with the photos we have in our databases. There is a proposal that is being carefully considered to make this mandatory for federal contractors.

This is important because we need to make sure our own house is in order. It is hard to make the case to the public that we are serious about illegal immigration if federal contractors are repeatedly being caught using illegal immigrants doing jobs in federal buildings, or for the federal government. A couple of states have already made it mandatory for their businesses to use E-Verify and those have been challenged by the courts, and to my knowledge, have been upheld. This is why I would like to thank Congress this past month for re-authorizing the program because I think that is a vote of confidence in its importance.

Finally, we want legal immigration. As much as we want to discourage illegal immigration, we want to encourage legal immigration. Here I am delighted to say that the United States Citizen and Immigration Services has worked very hard to improve the business practices and to reduce the backlog, which has been very frustrating for people who are obeying the rules and want to become lawful American citizens. We gave priority to name checks associated with citizenship applications through the name check elimination project. During the past year we reduced the FBI name check backlog from 314,000 pending requests to 16,000. That is a dramatic reduction in the number of people who were awaiting action by the FBI. Before November, well ahead of schedule, USCIS will have had substantially addressed all name checks pending for more than a year. By the end of June 2009 98 percent of all FBI name check requests will be completed within 30 days with the remaining 2 percent completed in 90 days or less. This is speed that has never been seen before and at a time, frankly, where the demand placed on the program has been greater than ever in the history of the country. We are doing this without compromising the security of the process that we are undertaking.

I am also particularly delighted that over the last 5 years we have naturalized over 3.5 million new Americans including more than 1 million this past fiscal year, which is a new record, and a record that all of us ought to be proud of. This also includes military naturalizations and I have been privileged to conduct some of these myself, including in Iraq. In all USCIS in the last year naturalized, over 8,200 military personnel.

Finally, visitors. Obviously, there are people who come to the country who are not working and here as lawful permanent residents, but we still want to encourage them to visit. We want to do it in a way that increases efficiency and also lines up with promoting our security.

Among the things that we have in place,

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

we are now deploying under our Western Hemisphere Travel Initiative, RFID readers at all our ports of entry, and we are on track to be able to process our new passport cards at our high volume ports when the reader initiative becomes mandatory in June of next year.

I will say compliance already is very high, and we have had hundreds of thousands of people applying for their new pass cards, and a number of states have come on board, beginning to roll out enhanced driver's licenses that will be accepted at our land ports of entry as adequate documentation under the Western Hemisphere Travel Initiative.

We also have US-VISIT up and running and we are continuing to roll out our ten print. We have done it at all our consulates overseas, and we are increasingly bringing the ten print readers to our air ports of entry.

Of course, as I announced, as the President actually announced last week, we have been pleased to welcome seven new countries to our Visa Waiver Program as part of new legislation that we are currently implementing that will upgrade security for all Visa Waiver visitors and expand the pool of countries that can now take advantage of the program. This includes South Korea and six of our friends in Eastern Europe and the Baltic's, Lithuania, Latvia, Estonia, the Czech Republic, Slovakia and Hungary.

Looking back and looking forward, many of the things we have accomplished in the last couple of years in particular as part of our Secure Border Initiative were things that people did not believe could be accomplished or would take ten years to do.

I do not think people would have predicted two years ago we would wind up seeing the trend in terms of illegal immigration actually getting reversed. I think it is fair to say that we have done more in the last five years to address illegal immigration than in decades before.

Five years ago, we did not have unified border agencies or inspection forces. We treated immigration and customs as totally separate tasks. Now, we have integrated components, integrated agencies, and we treat immigration and customs as part of border protection, a single mission to which we apply all of our resources, and now for the first time we have a unified nationwide strategy with respect to controlling the border, which includes infrastructure, personnel, and technology.

I am not ready to say we are close to declaring victory, but I think we are now on the road to victory, if we are persistent and if we are determined to complete the job.

It is important as we move forward not to step away from the path we have taken, not to reverse the direction, or to bow to those who say it is bad for business if you leave migrants out. We need to continue to show the American people that we will enforce the law.

It is my conviction that if we do that, there will come a time in the near future where the American public will finally say okay; we trusted the government to control immigration. Now we are prepared to open the door to more legal immigration or to more legal temporary workers.

At the end of the day, it is our philosophy, it is my personal philosophy, that the answer to dealing with the problem of jobs that Americans do not seem to want to fill, is not to allow people to come in illegally, to break the law to fill them, but to create a regulated legal visible and secure path, to invite people in when we want to invite them in, under the terms and conditions that satisfies us as Americans, that we are comfortable with the security and the economic impact of that migration in that temporary work, and also using a path that is transparent and protects the workers themselves from the kind of exploitation some of them experience when they come in an illegal status.

I want to encourage the public as we move forward to continue to keep track of our progress.

One of the things we have done is we have put a lot of this data on the web, and over the next week, we are going to put more of this data on the web, and we are going to expand the number of types of metrics we put on the web so the public can literally follow us month and month and see how we are doing. That, of course, is a way of holding government accountable as well as demonstrating to the public what we are actually achieving.

We have also created a widget that people can download on their desktop that will automatically update when new figures or new facts come out.

Ultimately, to solve the problem of illegal migration and to give us an immigration system that satisfies our economic needs and that is also humane to people who do want to come work in this country, we are going to have to go back to Congress and see if we can get comprehensive reform in the future.

I think we have actually upheld our end of the bargain. We were told when this was rejected in 2007 the American people did not trust the federal government to withstand the pressures of various interest groups and to enforce the law.

I think we have withstood that pressure. I think we have enforced the law. I think we have seen positive results.

Now, I would like to invite everybody at some point in the future to exercise a little bit of goodwill and see if we can come up with a joint approach that will allow us to build the enduring system that deals with immigration in a way that will satisfy our country's needs and security interests, but also allows us to engage with people who want to come and make a contribution, that history has shown in the long run benefits the United States of America as well as those who come to join us.

Thank you. I will take some questions.

Q. Mr. Secretary, there is a lot of unbuilt fences in Texas, what are the challenges you are encountering there and what are the prospects for finishing any part of that by January?

Secretary Chertoff. I think we will finish a significant part of this. The challenge has been that we have been engaged in very particular litigation over a minority but still a significant number of parcels where individuals object to a fence.

We have resolved many of them. Many of them are voluntary. Sometimes we have to find the person who is the land owner, and that slows the process up. Some people are very determined to litigate this to the hilt, and court takes time.

We are pressing forward vigorously. Where we have been able to acquire land in a sufficient chunk to build, we have gone ahead and built that. We have gotten

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

some good settlements. We got a settlement with the University of Texas at Brownsville, which I think was a win-win, and we reached an arrangement with Hidalgo County that I think is going to be protection for their levy system as well as something beneficial to us.

All the court challenges to our exercise of authority have ultimately been rejected. We have won all those cases. Litigation takes time. We are going to keep pressing and we will be pressing through January 19th of next year, and then it will be up to somebody else to press.

Q. Mr. Secretary, on the no-match letters, could you specify a little more about what are the clarifications that you are sending to the Court in order to ask them to lift the injunction?

Secretary Chertoff. The largest clarification was there was a request for us to do some additional economic analysis and we performed the economic analysis. There are a couple of editing changes that have to be made, making it clear, for example, that the decision for prosecution of people who violate the law ultimately rests with the Department of Justice.

I do not think there is anything that is going to change the basic configuration of the program that was previously announced last year.

Q. In terms of the employers, it is basically the same?

Secretary Chertoff. Employers are going to be given a period of time when they get a no-match to engage with the employee. If there is a correction that needs to be made, it ought to be made. If there is not a correction because the underlying problem is a false document and someone is unauthorized to work, then obviously appropriate action has to be taken.

Q. Is that amount of time the same as it has been?

Secretary Chertoff. Yes.

Q. Mr. Secretary, I have a two part question on the border fence. Given the 90 days or so it takes to construct the fence, and once you have permission and given the court, legal and environmental issues, is it accurate to say that the agents will not complete the 670 miles by December 31st, and by at least the inauguration, how much of the fence will be done, how much will be close to being done, and can you define what you mean by close–-

Secretary Chertoff. It is a little hard to project because as you pointed out, the biggest uncertainty is the court proceedings. They have been slower than frankly I would have projected. Obviously, we cannot break ground until we can get through these proceedings.

I am going to give you a projection, but it is not a guarantee. I believe by the time we leave the office and hopefully by the time we are at the end of the year, we will have 90 to 95 percent either completed or at least under construction, meaning we will have broken ground, we will have put pilings in, and of course, part of what I am thinking is once we are actually at the location building, it is unlikely people are going to be coming across illegally. That will be an area that we are controlling.

But I could be off by a couple of percent, depending on whether some of the court stuff takes a little bit longer. So far, at least in all the significant challenges, we have prevailed. That is important in terms of moving us to our final objective.

Q. Mr. Secretary, a couple of times you have made the case here for comprehensive reform. It is an issue that has received very little attention in the presidential campaign.

Secretary Chertoff. I do not talk about campaigns.

Q. Is it appropriate for this to be off the table, for there to be no discussion of immigration during the presidential election?

Secretary Chertoff. I do not talk about campaigns. I will answer a different question. Do I believe that in the next few years we are going to have to address this? Absolutely. This is not a situation which is sustainable over a long period of time. Even as we reduce the number of illegal migrants, we are still dealing with a very challenging process, which does have an impact on our resources. It has an impact on humanitarian considerations. It has an impact on economic needs of the country.

Obviously, as unemployment rises a little bit, that may change the dynamic a little bit, but I doubt that it is going to come to the point that lettuce picking is going to become a favorite occupation, even if we have something of an economic down turn.

I think this problem is going to be out there. By the way, it is a global problem. When I go over and talk to my counterparts in Europe, they are tackling the very same issue, and to be honest, they are beginning to emulate our strategy of tougher enforcement.

I think in the end, this is one of these big problems, it is not going to go away by itself, but I do recognize that the lesson I took from last year was we had not made the case to the American people that we would live up to the commitment to enforce the law, and there was some skepticism about whether when the camera's get turned off and the special interest groups come out, whether they would wind up forcing us to basically go back to business as usual.

Whether you like what we are doing or not, it would be hard to argue we were conducting business as usual in the last year and 18 months. We have the interest to prove it and we have the outputs to prove it. I am hoping that will empower the people on all sides to come together, look at the problem in full scope, and help the country come to a solution.

Q. Mr. Secretary, on E-Verify, what Congress approved in the Continuing Resolution was funding only until March of next year, the five year reauthorization went to the House and was approved, and did not get through the Senate. Given that E-Verify is on a short time table next year, what are its prospects?

Secretary Chertoff. I think actually there was a little bit of an inconsistency. I

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

think there was one element of the Omnibus action approving funding for the year, and then there was another that suggested it was three months.

I think obviously there is something there to be resolved. The value of this program is very clear. It is hard for me to see the argument against the program. Why would we want to say to employers, we want to make it hard for you to know if people are here illegally. That makes no sense at all.

I am confident that however the lawyers resolve the inconsistency, that the Congress will make sure that this program can continue to move forward in the future.

Q. With regard to the no-match letter, would this apply to the IRS releasing information for individual taxpayer I.D. number holders to Homeland Security?

Secretary Chertoff. No. What no-match does is, no-match basically says you are going to get a letter from Social Security as an employer. It is going to tell you there is a problem. You have to resolve the problem. It does not give us a whole lot of data from IRS. That would require a legislative change.

What it does do is it gives guidance to employers. It tells them if you do the right thing, then you are basically safe. If you take the letter and you throw it in the wastebasket because you do not want to be bothered or you do not want to get the bad news, then you are taking a risk.

Q. I have two questions, if you will indulge me. The first one is on Social Security, there was an effort to reform another supplemental to try to get the injunction lifted, and there was some opposition, feeling that it really did not do much. I am wondering what you feel is different about this one that might allow you to get this injunction lifted.

Second, I wanted to ask you about comprehensive immigration reform. If the Congress does not take it up in the next session and the Administration does not address it, can the U.S. continue to sustain this level of enforcement?

Secretary Chertoff. The answer to the first question is I would look at the Judge's opinion. We believe we have addressed everything the Judge expressed concern about, and that is why we feel we are in a position to go back and ask him to lift the injunction.

On the issue of sustaining enforcement, I think we have built the tools and the capabilities and we have recruited the people to allow us to continue to move in the direction we have now established, which is reducing illegal migration. I think as you push harder and harder, it gets expensive, and it becomes more and more difficult as you drive the number down.

I think the ability to enforce the law is in place, as long as the determination is in place. However, if you can satisfy the economic needs that are bringing some of these migrants in, by creating a lawful temporary worker program, so people can come in and do these jobs legally, it is going to make it a lot easier and a lot quicker to finish the jobs.

My bottom line is I think the next Administration, whoever it is, can continue the job of securing the borders and can get it done. I think we have the path laid out and the tools being fashioned to do that. We could do it more quickly, more easily, and more inexpensively coupled with comprehensive immigration reform that addresses the issue of temporary workers.

Q. I'm sorry. I hate to go back to the Social Security thing. Since we have to explain this to an audience that is not versed in this, is there anything that you can specifically tell us that might get this through?

Secretary Chertoff. One of the main issues the Judge raised, probably the one that took the most time to address was a question of whether we had done sufficient economic analysis of the impact of the rule on businesses as required by law.

We conducted an economic analysis. We laid it out. We now think we have answered the Judge's questions. We have shown we have considered the economic impacts of it. We think that satisfies the legal requirement.

My recollection of the Judge's opinion, it was not that the Judge said you cannot do this, you cannot make people check to see whether their employees are illegal. It was there was some statutory requirements that he felt were not met in the rule. These are the things we fixed, which is why we think the rule is now fully in compliance with the law and can go forward.

I am going to venture a prediction. I am going to bet that the same claimants who sued last time are going to sue again or object to the rule. That is because groups like the Chamber of Commerce have told us, and they have not been coy about it, they have told us why they do not like the rule.

As they said when we did comments last year, there are many businesses that rely on illegal migration in order to carry out their activities, and it would hurt them if they had to comply with the law.

In my experience, making money is not a sufficient justification for violating the law, since most people break the law in order to make money.

I do not think there is a persuasive argument, but I am quite sure that we are going to get resistance again, and that is why I come back to comprehensive immigration reform. I think it would be a lot easier if we said to businesses, as we said in January 2007, if we can work together to have a legal way to get the workers, that is a win-win. You get the workers, the workers get protected, and we are obeying the law.

Because we did not get the comprehensive immigration reform, there are some people who believe the way to deal with their economic need is to make it hard for us to enforce the law, and regrettably, that has been a feature of the way immigration has been dealt with over the last 10 or 20 years.

We are trying to get out of this box of non-enforcement, violation of the law, and certain businesses that are built on illegality, which actually winds up also exploiting the very workers who are the foundations of those businesses.

Q. If the groups who were opposed to the no-match rule manage to stymie you in court for an extended period of time, have you extended the teams that would be doing audits of businesses, to

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

look for people who are violating the—

Secretary Chertoff. We are continuing. We have a vigorous program of auditing. I should say a lot of—this is going to send chills down the spines of some of the employers—a lot of the cases we make, we discover large numbers of illegals, come from tips. Actually, IRS does the same thing, too. Disgruntled employees or competitors, legitimate workers, phone in tips, give us information, and that gives us the ability to go and do investigations.

We use all the tools, and we are continuing to use all the tools even while this regulation is being litigated.

Was there another part of the question that I missed?

Q. I was just wondering if you expanded the teams to do audits and investigations over the last year.

Secretary Chertoff. We have. We have the exact numbers.

Q. Can I ask a non-immigration question? Just one short question on comprehensive and then back to no-match.

How confident are you that the down trend will continue once the economy begins growing again, and on the bigger issue, for critics of CRs, you know, you should only be enforcement, do you expect major legislation will be posited before the economy starts growing again, and then on no-match, if I could just ask—

Secretary Chertoff. That's a hell of a one question.

Q. Given the time, that it has taken so long to get the rule together, and there is some indication it will come out in the summer, now it does not look like even if it does go through, it will be up to the next Administration, the next Congress to actually enforce this, or would you say the critics on Capitol Hill or elsewhere are trying to—

Secretary Chertoff. First of all, we have talked about the no-match rule and we have been moving the 18 months. This is not a surprise being dropped on anybody in the last few months of the Administration. We had a lot of comments. In order to make sure that we did not get ourselves back into a situation where we were being sued because we did not pay enough attention to the comments, we had to work through all the comments.

I think this has been something that has been debated and discussed widely for 18 months. I do not think this is going to come as a surprise to anybody. I am quite sure, as I say, that we are going to wind up in court further.

Remind me of the first question.

Q. Confident that a down trend will continue.

Secretary Chertoff. I would agree that certainly, you know, for someone who is contemplating coming illegally, it is a mix of they have to weigh the incentive and the deterrents. When the economy goes down, the incentive diminishes. When the enforcement goes up, the deterrents increase.

If the economy suddenly changes in the next year or two and particularly if a differential between the economy in other countries and the U.S. becomes more marked, yes, that is going to probably encourage some more people to try to come across.

We can make real good use of this time to continue to build the border protection that we need and the enforcement that we need. Each year, assuming we continue along the path we have charted, it is going to be harder and harder and harder for people to cross the border.

I think we can actually lock in the progress that we have made, if we continue to keep the pace up over the next year or two, so that if economic conditions change down the road, although the incentives to come in may increase somewhat, the deterrents will have really increased because we will have more fence, more border patrol, more technology, more enforcement, and hopefully a better way to bring workers in legally, so that when the economy gets better, we can bring people in through the open front door instead of sneaking over the back fence.

I think that in some ways is the opportunity I would argue for comprehensive immigration reform being particularly attractive at a time when we are trying to figure out how to position ourselves for when the economy does ultimately improve and we are going to need to have more workers.

Moderator. Last question.

Q. If I could just ask you about the recent letters that have been sent to financial institutions, the FBI is investigating them, and so far, the powder has been proven to be non-lethal, but can you tell us what the Department is doing, and is this looking like it is a hoax or is this a red flag?

Secretary Chertoff. It is under investigation. I do not want to start speculating about it. Any time we get powder, and I have gotten this from time to time, we take it very seriously, and obviously, the first thing you want to find out if is it harmful. If it is harmful, we would be involved with other departments in terms of response and things of that sort.

Once it becomes a criminal investigation, obviously, the FBI takes the lead in that.

Q. The Supreme Court is going to take up the issue about Social Security questions. How do you feel about that? Do you think they should rule?

Secretary Chertoff. The Solicitor General has to make the argument. Just to put it in context, there were six courts that had addressed the question of how you interpret the knowledge requirement in the statute for aggravated identity theft. Three courts came out one way, three courts came out another way. That is usually an invitation for the court to resolve the issues.

Actually, the Solicitor General invited the Court or requested the Court to resolve it. I will let the lawyers file the briefs.

Q. Would it hurt operations if it does not go—

Secretary Chertoff. Certainly, we have appropriate reviews of aggravated identity

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

theft as a criminal charge, but I can promise you there are many other criminal charges that are appropriate and can be used, and however this comes out, there will be an ample arsenal of tools available for enforcing the law and making sure we can deal with identity theft, which is obviously a serious problem.

Remarks by Homeland Security Secretary Chertoff, October 23, 2008[5]

Secretary Michael Chertoff delivered these remarks in Washington, DC

Secretary Chertoff. All right. Well, I'm planning next week to be able to visit six of the seven new countries that will be admitted to the Visa Waiver Program in the middle of November, not necessarily—I know I'm going to start in the Czech Republic. I think the trip details are finally being nailed down, but it's going to be the Czech Republic, Hungary, Slovakia, Estonia, Latvia, Lithuania. I will not unfortunately be able to make it over to South Korea. They, of course—South Korea, of course, will also be in the program.

We're delighted that we've been able to achieve this milestone. I know the people of these nations, which have very strong ties to the United States, have long been waiting for admission to the Visa Waiver Program and the way we've designed the program going forward allows us to admit the additional seven new members at the same time that we've raised the security levels for everybody in the program, both the new members and the pre-existing members. So it's a benefit both in terms of expansion but also in terms of increased security and that's good for everybody.

It's also a way of reinforcing and celebrating the freedoms which the new members enjoy which are part of the progress, I think, of the human side towards democracy abroad, so a good way to celebrate that, and I look forward to sharing in the celebration with the six new countries in Europe who are currently in the program.

One thing I think is very important to emphasize for people—of course, first of all, business travelers and students still can get visas like everybody else does. For tourists who are going to be using the program, they must register online with the Electronic System of Travel Authorization. It's available in a number of languages—I think 12 or 13 languages. You can access it through a travel agency. You can do it directly online. I'll get you the IP address so you can print it.

What would be unfortunate—it would be someone who tries to get on a plane thinking they don't need a visa and didn't bother to register because that person might find themselves on a return flight. So please get the message out. So we've got two or three weeks ahead of us. It's a very fast program for most people and it's a matter of within a very short period of time, we'll get the okay. There are, of course, a very small number of people who do have an issue that arises and the good news for them is they'll find out about the issue before they leave rather than at the airport here in the United States. So it behooves everybody to get on the ESTA program.

Q. So as you saying, the informed Slovakian countries now, are you waiting till this time or if there will be—

Secretary Chertoff. I think—I think it—I don't want to give you an exact date yet. We're not ready yet. So I think it will be—it will be in the vicinity of November 17th, around then, but I don't want to give you a precise date. We're not ready to announce it yet. But it will be—it will not be before November 15th, but it will occur during the month of November. So you've got a couple weeks of—you know, we'll nail it down.

Q. Will you actually announce it officially in Europe because—and is that—

Secretary Chertoff. I believe it will be—I hope that we'll announce the actual date in Europe.

Q. Will it be the same date for all countries?

Secretary Chertoff. Yes, everybody will be—for every country, it will be the same date. Every—every country in this group of seven, it will be as of that same date.

Q. Secretary, the Hungarian heads of state, the president, (inaudible), or not.

Secretary Chertoff. Well, of course, we signed an agreement and based on the agreements we've signed, Hungary is admitted to the Visa Waiver Program and obviously then we presume that whatever internal legal steps need to be taken to comply with the agreement will be complied with.

Q. Do they have any chance to check the system before it will be switched on?

Secretary Chertoff. Oh, we've been checking it. We've been using the system for weeks now and that's how—we have thousands of people who've actually registered and it will be open as of next week, it will be opened generally to the new countries that are coming in, but we've done some testing.

Q. Because there was a G8 report which somehow doubted whether the whole system is ready.

Secretary Chertoff. For example, it said we only had it in one language and that's untrue. We have it in about a dozen languages. So, you know, as is often the case with some of these reports, the information is collected months earlier and, of course, in the intervening period of time, we had that run. So it has been tested. We've had thousands of people using it and registering on it and it will be open generally next week.

Q. Can you describe the monitoring system in a bit more detail? What do we have to do and not do in order to not get kicked out of the program?

Secretary Chertoff. Well, it's just—it's no different than we've always had in terms of the—you mean the individual person? The information we get on the

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

electronic system is exactly the same information that we used to get on the airplane on a written form. So it's not going to change the standards for getting somebody in. A person who doesn't get in under ESTA would not have gotten in under the old program. The only difference is under ESTA, you'll know in advance if there's a problem and need to go to the embassy and see if you can clear it up. Under the old system, you arrived at the airport after a 12-hour flight and you learned that you weren't getting into the country and you had to go back. So I think that's better for the travelers.

Q. And on the country level, how do you monitor that the country still meets all the requirements?

Secretary Chertoff. Well, we do periodic reviews which we do for every country in the program, and if a problem arises at the time of review, when the time for review comes, if it's not rectified, then the country could lose its status. That's never happened to my knowledge. Every country's always managed to pass the review.

Q. I had also another question for the system. It's mentioned it's being tested. It's already testified and my question is for the traveler that wants to enter the United States for the first time, maybe they want to reach their dream and they don't know to speak English, for example, under the current system, they can fill the application in their own language, and under this new system, is it their own language or what?

Secretary Chertoff. The questions are in different languages. I believe that you have to answer the questions in English, but the nature of the questions, most of them look like your name. It's not going to make a difference in the addresses and things like that sort of information. So it should not be a problem.

If someone does have difficulty, they need to get a little bit of assistance maybe from a travel agent, but I think the questions will be in multiple languages.

Q. If I may, a lot of people are saying this is just another way of getting a visa. They are kind of doubtful that this is a real change. What would you say?

Secretary Chertoff. Well, it is a huge change because a big challenge with a visa is you have to wait a year and this eliminates the need for an interview, except for those people where there's a problem.

Q. What about those countries that aren't European countries, are they—you know, it actually created quite a lot of even arguments in the European Union because the other countries don't like that very much and they don't like the system either because it means tightening rules for them. Would you agree with that?

Secretary Chertoff. Well, first of all, the rule will be consistent. In other words, by the middle of January, everybody, whether they're a new admittance or a previous admittance, everybody's going to be under the same system, treating everybody equally under the program.

It doesn't require more information than before. I'm baffled at the criticisms and I think most of the criticisms are coming from people who don't understand what we're doing. This is exactly the same information we've always required. It's not like we're asking for anything new. Why would there be resistance in the 21st century to say we shouldn't do it online, we should only do it by hand, so you can look at it at the last moment? I don't really understand the objection to that.

The value to us from the security standpoint is by having it earlier, we have more time to analyze it and that means we can keep out people who we don't want to have in the United States and I can't imagine anybody objecting to that. Why would we want to—why would any country want to have a criminal come into the U.S. or a terrorist come into the U.S.? So I'm—I'm still waiting to hear the objection that actually, you know, is persuasive.

Q. One more question. I've been hearing this for some time and hearing this argument for a long, long time, coming from the side of the United States Government that this is a matter of design because it requires a change in the law, et cetera, et cetera, and then two years ago, there seems to have come a change and all of a sudden, once the administration became very actively involved, it—well, it still is a matter for the Congress, of course, but the change came only after kind of more welcoming, let's say, imposition on the side of the administration.

What was the—what was the tipping point? Was there—

Secretary Chertoff. You know, we—we knew there was a long—first of all, it is Congress's decision and Congress has to pass the law. We looked at the fact, on one hand, that there was a desire to bring additional countries into this. These are friendly countries and there's no reason that we should be treating them differently, unless, you know, there's some security purpose.

We recognize that in this day and age, you know, the original system was focused on illegal migration, that really the system we're concerned with now, the high priority is terrorism and safety. So we looked at the opportunity to actually achieve two goals. One was to broaden the program and answer a long-held desire. The other was to upgrade security generally through this electronic system which was modeled to some degree on what the Australians have done successfully over a period of years.

Actually, we looked at the Australian system and we kind of said this is a real opportunity to achieve two things at the same time: upgrade security generally and also then, once we've upgraded the security, that makes it easier to make the case in Congress that we ought to be adding additional countries.

So it was the convergence of two objectives that allowed us, I think, to make a more persuasive case to Congress.

Q. On the street level, a lot of people inside Europe, to my knowledge, are saying look at the (inaudible). They've been very good allies of the United States in Iraq and Afghanistan. They've been willing supporters of the efforts of the United States. Now they aren't getting in.

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

Secretary Chertoff. Well, we'd love to bring them in. I mean, one of the legal standards, though, requires the visa refusal rate to drop below 10 percent and they're not quite there yet. You know, there's always a line-drawing problem. We hope that they will soon get below 10 percent and then, of course, the other elements get met and they would come in.

Also, once we get US-VISIT Exit up, which I hope we can do next year, although some in the travel industry oppose it, the airline industry opposes it, that will give us actually an alternative way to administer the program because we'll have—we'll be able to compare the entry and exit data biometrically. So, you know, again that will be—increase the opportunity, but in the end, there are certain standards and there's always a line that's drawn and the pole is moving in the right direction, but they haven't quite made that legal requirement.

Q. And are you afraid in any way it will be much tougher for them to get in because the visa waiver enlargement still have quite problems in Congress? Diane Feinstein recently—

Secretary Chertoff. Well, there are people who don't like the Visa Waiver Program and I think the law that is in place now, I believe, satisfies most of the objections of the critics, but I do think it's important to emphasize there are people who have criticized the security measures and say, well, why do you need all the security measures, and I can—and maybe people who believe that the next administration will drop the security measures.

I can pretty much guarantee you that's not going to happen because there are people, as you point out, who already are hostile to the Visa Waiver Program and if there was an effort to dilute or weaken the security, I'm quite confident that the balance would tip the other way. You would start to see a movement to abolish it.

So the security measures are important for us in terms of the value of the program and I think that people in Europe should understand that it's because of the security measures we've been able to get members of Congress who were skeptical to go along with this expansion and, by the way, this is not a partisan issue, as you pointed out. We have Democrats and Republicans who have the same questions. So I think we, the expression is, have threaded the needle here through a combination of security and expansion that has allowed us to put together a broad base of support, but if you were to remove the security elements, I think there would then be probably a change in attitude and that's one of the reasons why I think Europeans should welcome the security because it has been one of the reasons we can accomplish this.

Q. Mr. Secretary, did you say that you're going to announce the first one next week?

Secretary Chertoff. I think the date of effectiveness, the actual date will be next week.

Q. When? What country are you going to first?

Secretary Chertoff. I think I said probably, not definitely, probably when we're in the Czech Republic.

Q. Okay. And my question is, if this electronic travel authorization is already fully operational,—yes?

Secretary Chertoff. Yes, it's fully operational.

Q. And what about that—you will be able to verify the departure of those leaving the country?

Secretary Chertoff. Well, we do that now based on the names on the passenger manifests. What we're hoping to do next year, although this will have to be the next administration that finishes the task, is to actually get a fingerprint on the way out that we can match against the fingerprint that we currently take on the way in.

Q. From January maybe or later?

Secretary Chertoff. It would have to be from—probably the earliest would be next summer in 2009.

Q. Mr. Secretary, I have a question. Could you tell us of the visa refusal rate for the last year?

Secretary Chertoff. I don't remember. I can get that to you. All the countries are at or below 10 percent.

Q. I understand that.

Secretary Chertoff. I don't know off the top of my head. Do we have it? No, that's different. We'll get it for you.

Q. Why is the refusal rate for Poland so high, and is it more because of the illegal immigration issue?

Secretary Chertoff. Yeah. It's illegal immigration. The—

Q. And how far up is crime there in the serious issues?

Secretary Chertoff. Well, the visa refusal rate has—I would say the vast majority, not all, the vast majority of the visa refusals are based on illegal immigration. It's based on the State Department's judgment about whether an applicant is really going to go back home again or they're going to stay.

So I would not say that the high refusal rate means there's more criminals in that country. It just may mean that the economic background of the people who are traveling leads to greater suspicion that people may actually be intending to stay and work, but ESTA is focused not—you know, obviously we'll continue to be attentive to the illegal immigration issue, but the ESTA particularly allows us to look at the security and the agreements we put into effect with the countries, lost and stolen passports, exchange of information about terrorists and criminals, that's directly aimed at making sure that criminals and terrorists do not come into the United States.

Q. But with the current system, you don't know the over-stay rate?

Secretary Chertoff. We do know what the over-stay rate is. I just don't happen to have it in my head right now, but we'll get

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

it for you. It's published.

Q. I don't mean the refusal rate but over-stay rate.

Secretary Chertoff. Oh, I think we actually do know what the over-stay rates are approximately.

Q. Could you please explain (inaudible)?

Secretary Chertoff. No, it's not traffic accidents. I think it's generally what we would consider to be a series criminal offense, like a robbery, murder, drug dealing, something of that sort. Traffic, you know, speeding tickets are not disqualifying people. Fraud might, yes. Somebody committing fraud, that might disqualify them, if they were convicted of fraud.

We would ask people have they been convicted of a crime and that is a disqualifying issue.

Q. The Washington Post had a story this morning explaining that your department, DHS, will take over responsibility regarding checking air passenger data.

Secretary Chertoff. That's different. That has to do with foreigners coming into the U.S. The program that was discussed yesterday has to do with everybody who gets on an airplane, whether they're Americans or non-Americans, whether they travel to the U.S. from overseas or whether they travel from Europe to California. So they're totally different programs, although we will be able to, with people traveling from overseas, to coordinate between what TSA, Customs and Border do.

Q. So who will be responsible for my—you know, if I show up at the airport, who is responsible for that?

Secretary Chertoff. Customs. If you show up with—well, that's an interesting question, and I think this is—where the airline has to pay for your trip back? I think at this point, it may not be the airline. We're working to coordinate with the airlines as we synchronize with their advanced passenger system. So—but whoever pays for it, if you come without the ESTA, chances are you're going to be headed back. So come with the ESTA.

Q. Mr. Secretary, you mentioned that the advantage of the visa before. Is there actually a guarantee that I will actually—

Secretary Chertoff. No, no. Because if you come and there's something about the way you answer a question or the way you behave that raises an issue, the Border guard always has the ability to tell you not to—you know, to refuse admission. That's true with visas. People come with visas and they do something or they answer a question in a way that raises suspicion and they can be denied entry.

So I want to be clear. It's not a guarantee, but it reduces substantially the risk that you're going to be refused on the spot.

Q. It would be a good occasion if you could describe step by step who will be responsible for what? It will be on me as a traveler to go to ESTA.

Secretary Chertoff. It will be on you as a traveler to get on the system. You'll then be notified of approval electronically. I advise people to print out a copy of that so they carry it with you. Get on the airplane. We're hoping that the—I have to say this. This may take a little bit more time. The air carriers themselves will ask to make sure you have a visa or an ESTA.

Then when you get to the United States, we will have a record on our system that you are approved, but again just in case something happens, it's good to have your own copy and then you'll go through the ordinary, you know, present to the immigration official and they'll question you and, you know, do whatever they normally do and then assuming there's no issue there, you'll proceed through Customs and—

Q. And it will be 72 hours ahead of—

Secretary Chertoff. That is what we recommend. Now, if you do it—if an emergency comes up, we can deal with an emergency, but it may cause a little bit of delay on our end.

Q. Mr. Secretary, I don't want to dwell too much on this, but I've had some trouble finding out what if I travel to Canada on this exit visa where I don't need a visa and when I cross the border on land, is it, I mean, proof, watertight?

Secretary Chertoff. If you are Czech and you are in Canada and you come to the U.S. and you don't have ESTA, you're going to have a problem getting in.

Q. But all the border controls will have the access to it and it will be the same procedure like at all the airports, right?

Secretary Chertoff. Yes. And by the way, you know, the ESTA is good for, I think, two years, right?

So, you know, if you're thinking of going—if you might be coming to the U.S. in the next two years, we urge people to apply early and then once you have it, it's good for two years and so, you know, you don't have to worry about it while you're going to Canada and the U.S.

Q. I also have a question. Some people may be also thinking of questions after entering the Visa Waiver Program and the visas are also still early. Do they also still fill this out?

Secretary Chertoff. That's an interesting question. You could still come in with your visa? The answer is you probably could. If your visa's out, you probably could still come in, but my recommendation would be enroll in the program with ESTA.

Q. Despite the visa?

Secretary Chertoff. Yeah. It only takes a few minutes and, you know, if I wanted to be safe, I would enroll in the ESTA.

Q. A couple months ago, there was a breach into information about Barack Obama, passport information of Barack Obama and Condoleezza Rice.

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

Can you guarantee that the information which people will be giving away will be safe here?

Secretary Chertoff. You know, it's like—again, I want to emphasize this. The same information we've always gathered, we're going to safeguard it in the way we always have. It's held in secured data and it's restricted in terms of people getting into it and if someone misbehaves, as apparently happen[ed] in the State Department a couple months ago, they get punished. I think it's actually a crime. So, you know, we do have strong sanctions for people who misuse the information.

But again, I want to emphasize this is exactly the same information people have always been providing. That's why I'm baffled by some of the criticisms because it's not like we're saying give us like new information. This is the same information we've always had. It's just in a different form. So why—why is there a greater risk? It'd be like saying we can handwrite the information but we can't type it or you have to use a stylus and wax rather than a pen. It's silly. It's a better technology, but it's the same information.

Q. But if it's the same information, does it matter for the security interests because you mentioned several times pushing the case through Congress?

Secretary Chertoff. Because we get it earlier. Having it—having it days in advance gives us the opportunity to analyze it in a way that we can't when we're presented with it as you come off the plane.

Q. So at this time, would you catch Richard Reed before he gets on the airplane?

Secretary Chertoff. Oh, I think we probably—yeah. We'd have a much better chance of catching Richard Reed.

Q. Mr. Secretary, my question is so the next week, you will announce the date when the new—

Secretary Chertoff. Probably, probably.

Q.—countries will enter the program? You will announce in Prague?

Secretary Chertoff. Probably.

Q. It will be the same day for all the countries?

Secretary Chertoff. It will be—

Q. So Prague will be the first city?

Secretary Chertoff. Probably, yes. I'll just keep repeating the same announcement over and over again. I think I'm going to be in Prague Monday. I'm flying over Sunday, be there Monday.

Q. As a father of three small kids, why didn't you have questions for kids? You have discussions about genocide, things like that.

Secretary Chertoff. Yeah. You know, here's the problem. You get into an issue. I mean, you have to draw a line somewhere and, I mean, by law, we treat children the same as adults and try and get that law changed. It's probably not worth it balanced against the relatively small inconvenience of saying no, it's not a good deal for the kids.

Q. Yeah. I'm not quite sure I understood the question. Yeah. I was wondering whether I could ask why did I have you answer the questions, whether I'm intending the attack federal authorities and whether I've been trained as an explosive expert? Why?

Secretary Chertoff. It's pretty obvious we would like to know if you've—

Q. Yeah. But, I mean, if I were a terrorist, I would know what to answer.

Secretary Chertoff. Here's what the answer is, and this is from my own experience. Sometimes we catch someone in the country who was a terrorist and because they have lied on the form, they've now committed a form, so we can arrest them. So it gives us an ability if someone does sneak in and lie, it's not only an ability to stop them in the first place, but if somehow they lie and get in, we now have a more powerful sanction because we actually send them to jail for five years or more and we've used that, to be honest with you, in finding people in the United States who have—who we discovered after the fact are dangerous and we go back and we look at their forms and if they lied potentially on the form, that gives us a basis to prosecute them.

Q. It's easier for legal reasons—

Secretary Chertoff. Yeah.

Q.—I mean, to detain them?

Secretary Chertoff. Correct.

Q. Okay.

Secretary Chertoff. Because then we catch them in their crime.

Q. How close is your cooperation with intelligence agencies in Eastern Europe and what are the main issues and problems there?

Secretary Chertoff. I think generally, I would say we've had very good cooperation with all the authorities in Eastern Europe and that's one of the reasons we were able to move so quickly once the law changed to get the countries signed on. So we have very good relationships.

Q. Can you describe the success in generalities?

Secretary Chertoff. Probably not. But I do think we—information exchange is always important and we have a good relationship.

Q. The question is, after entering the new countries into the Visa Waiver Program, will the United States be educating also the old European countries?

Secretary Chertoff. Yes, the old country—I shouldn't say old.

Q. Will you be pushing them into this?

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

Secretary Chertoff. Yeah. The pre-existing countries will be also coming to the electronic program and I believe mid-January is the date that they have to begin to do that.

Q. Thank you.

Q. Are there any still issues between Homeland Security and the pre-existing countries?

Secretary Chertoff. Yeah. I mean, my counterparts understand, I think there are some people in Europe who frankly view any change as something they don't like. As I've emphasized over and over again, it's the same information, better technology. You know, there's always some in Europe who believe that who we admit to the United States is a matter of negotiation. It's not. Like everybody else, if I invite you into my house, I get to decide who comes in and who doesn't come in. In my house, when someone wants to come in, they don't get to bargain with me about coming in. I make a decision.

As we say in the English legal tradition, every person's home is their own castle. So for the United States, we set down standards, but we have tried to work with the EU to reassure people by giving them visibility into what we're doing that this is the same information we've always collected, handled in the same way we've always handled it, and the only difference is we're using a 21st Century tool as opposed to a 20th Century tool.

Q. Let me ask about Greece. It is because of (inaudible)?

Secretary Chertoff. No, we've been unable to reach an agreement in which Greece has subscribed to the same requirements that everybody else has. So if and when Greece is ready to do—enter into the same agreements on information-sharing and other things that we've done with everybody else, they can be eligible, but we're not—what we're not going to do is give one country a lesser requirement than the other countries.

The key here is equal treatment. We're treating every country, pre-existing and new, on the same footing. We're not going to have two classes of visa waiver countries. It's going to be everybody in the same—on the same level.

Q. The Korean Embassy has said since Mr. President said he can fix everything, is it a misunderstanding?

Secretary Chertoff. I think he—I read what the president said. I don't think—I think he said about because we weren't quite ready to give the exact date. So I think I've narrowed it down. It's not going to be before November 15th and it will be in the month of November, but I'm going to announce the exact date soon.

Remarks by Homeland Security Secretary Chertoff and Romanian Ambassador Vierita, November 3, 2008[6]

Secretary Michael Chertoff and Ambassador Adrian Vierita delivered these remarks in Washington, DC

Secretary Chertoff. I will now take the opportunity this morning to say a few words. As you know, we just signed the Memorandum of Understanding between Romania and the United States regarding entry into the Visa Waiver Program. This lays down the various steps that will be undertaken to position Romania to enter the program once the requirements of the program are met, including, of course, the requirement with respect to the visa refusal rate.

It's an important first step and an acknowledgement that we are achieving a milestone, moving down the path toward admission to the Visa Waiver Program.

I know this has been a long-awaited moment. Of course, there are some additional steps to be taken, but it is, I think, important to indicate that it's a commitment on both sides to get this process done, which I know will be welcome not only in Romania but in the United States, as an expression of our friendship, an expression of Romania's movement towards equal status for travel purposes with the traditional visa waiver countries in Western Europe, and we look forward to completing this process not only because it will further travel and tourism between our countries but because of the exchange of information which will be embodied in the implementation of this agreement will help make both countries more secure.

So it is a beneficial movement for both our nations and both our peoples. Mr. Ambassador?

Ambassador Vierita. Thank you very much, Mr. Secretary. Allow me to say that this is a very important day for us and I like to thank you and to thank the staff of the DHS for the constant support and for the excellent cooperation with our Romanian authorities in this regard.

It is a very important day because it's a very important step, I think, that we have taken today. We know that we are not at the end of the road and I'm looking forward to that day when Romanian citizens could visit without a visa, could come to the United States. And let me tell you, let me assure you also on behalf of the Romanian Government, and I like to note that I have signed the Declaration today on behalf of the Minister of Interior, that we are ready to take the necessary measures in such a way that at the end of the day, we will have safer borders and safer traveling to the United States and from the United States to Romania.

I like also before ending to thank all your colleagues in the Administration and we are very thankful to the United States Congress for having passed this legislation and I also like to thank, Mr. Secretary, to thank the Romanian American community in United States who also is helping us and is promoter of this very important project for the Romanian citizens.

Thank you so much once again.

Secretary Chertoff. Now, we will be happy to take a few questions, if you tell us to whom your question is directed.

Q. Well, do you know from past experience how long does it take from the signing of this document until actually the visa waiver would become applicable in Romania?

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Secretary Chertoff. Well, I don't. It's hard to predict because, first of all, obviously we have to implement the agreements, but, secondly, it depends upon the visa refusal rate which is a function of people applying and whether in fact we're reducing the number of people whose visas are declined.

So I would hesitate to make a prediction, but we obviously would like to move forward as soon as we can.

Q. We all know that the visa refusal rate does not depend only upon Romanians. It also depends on the U.S. Consulate in Romania.

Secretary Chertoff. Right.

Q. So how can that influence the percentage?

Secretary Chertoff. Well, because the Consulate's decision is based upon whether the people who are applying are able to satisfy them, that they are in fact intending to return rather than to stay, over-stay. So as we've seen with every other country that's been through this process, as the authorities within the country make it clear that people should be responsible in their travel, that tends to decrease the level of refusal and that obviously gets it towards the goal.

Q. I have a question. Which requirement would be the more difficult to be met by Romanians, in your opinion?

Secretary Chertoff. Well, I mean, the visa refusal rate is probably the one that usually takes the longest. The implementation, of course, is in the hands of both of the governments.

Yes?

Q. Romanian Public Television. I understand that this Declaration means the engagement of political will to move forward. How does this change the present situation? Hasn't the political will been there so far?

Secretary Chertoff. It lays out an agreement with the very clear requirements of what has to be met under the law and then once these various elements of the agreement are met, the only thing that remains is for the legal requirement of below 10 percent refusal to be met. Once that happens, the program becomes open.

So this is the step necessary to identify the specific measures that have to be implemented as legal preconditions to visa waiver status and so in that sense, it actually gives us a clear path with respect to the various information exchange and security measures.

Q. If I may, a follow-up. Can you tell us what some of those measures are and those conditions?

Secretary Chertoff. It largely is, for example, exchange of information about known and suspected terrorists who may be traveling, exchange of information about convicted criminals who are traveling, exchange of information about lost and stolen passports. All of these are designed to make sure that both countries are better able to protect their citizen from criminals who might try to exploit the travel process in order to achieve illegal or even dangerous objectives.

Q. Once this agreement was signed today, where is the ball now, in your opinion; Romania's courtyard, in United States' courtyard, or in the middle?

Secretary Chertoff. Well, I guess I have to try to figure out what sports analogy I want to use. I would say that reaching the implementation of the underlying elements of the agreement are a mutual responsibility. The visa refusal rate, as we indicated, is something that is going to be dependent on the nature of the people who are applying for visas. So in that sense, it lies with the travelers.

Press Release from the Department of Homeland Security, November 7, 2008[7]

DHS Signs Agreement on Enhancing Cooperation in Preventing and Combating Crime with the Republic of Korea

U.S. Department of Homeland Security (DHS) Deputy Secretary Paul A. Schneider and U.S. Department of Justice Deputy Assistant Attorney General Bruce Swartz signed an agreement today on enhancing cooperation in preventing and combating crime with Ambassador Lee Tae-sik.

"I commend Korea for its collaboration and taking this important step toward joining an expanded and more secure Visa Waiver Program," said Homeland Security Deputy Secretary Paul A. Schneider. "This agreement will enable law enforcement officers on both countries to share information to combat crime and enhance our ability to prevent criminal and terrorist travel."

DHS and the South Korean Ministry of Foreign Affairs and Trade signed a Memorandum of Understanding in April regarding the Republic of Korea's candidacy for the Visa Waiver Program (VWP) that required, among other things, an agreement between the countries on information sharing for certain criminal activity.

The security enhancements outlined in the first declaration represent important requirements of the modernized VWP. They include better information sharing about international travel and border screening, improvements in information exchange on known and suspected terrorists, timely and comprehensive reporting of lost and stolen passports, and enhancements to airport and aviation security.

The agreement is the final substantive step by the Republic of Korea to fulfill its requirements for designation as a member of the VWP.

The VWP allows travelers from a number of countries to visit the United States for short tourist or business trips without the requirement of obtaining a visa. Twenty seven countries currently participate in

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press

the VWP. DHS intends to expand the VWP to South Korea, as well as six other countries, on November 17.

The Administration sought authority to reform the VWP for years, and the Congress passed legislation last year allowing for an expansion to a number of additional countries, including South Korea. The legislation requires that candidate countries cooperate with the United States to share information in security and law enforcement-related areas.

Press Release from the Department of Homeland Security, December 18, 2008[8]

The U.S. Department of Homeland Security (DHS) announced today that it is expanding the categories of non-U.S. citizens required to provide digital fingerprints and a photograph upon entry to the United States through the US-VISIT program.

US-VISIT records biographic and biometric information to conduct security checks and verify the identities of international visitors to the United States. Expanding enrollment in US-VISIT is a positive step forward in a process designed to further improve public safety and national security while ensuring the integrity of the immigration system. Linking a person's biometric information to his or her travel documents reduces the risk that a traveler's identity or documents could be intentionally misused by someone attempting to gain entry into the United States.

Additional non-U.S. citizens required to provide biometrics are:

* Lawful permanent residents of the United States (LPRs);

* Persons entering the United States who seek admission on immigrant visas;

* Persons entering the United States who seek admission as refugees and asylees;

* Canadian citizens who are currently required to obtain a Form I-94, Arrival / Departure Document upon entry or require a waiver of inadmissibility to enter the United States (This excludes most Canadian citizens entering the United States for purposes of shopping, visiting friends and family, vacation or short business trips);

* Persons paroled into the United States; and

* Persons applying for admission under the Guam Visa Waiver Program.

Collection and verification of biometric identifiers upon entry protects travelers by making it virtually impossible for anyone else to attempt to use their biometrically linked travel documents (such as a permanent resident card), such as if their documents were stolen or duplicated.

US-VISIT biometric collection requirements apply to most non-U.S. citizens, with limited exemptions, entering the United States regardless of country of origin or whether they are traveling on a visa or by air, sea or land. Non-U.S. citizens under the age of 14 and over the age of 79 are exempt from US-VISIT procedures, as are certain other individuals admitted under specific categories. The Final Rule is available for viewing at DHS.gov.

Press Release from the Department of Homeland Security, December 22, 2008[9]

The U.S. Department of Homeland Security (DHS) will designate Malta as a Visa Waiver Program (VWP) country on Dec. 30, 2008. Maltese nationals will be able to travel visa-free to the United States effective Dec. 30th.

"I commend Malta's commitment to meeting all of the security requirements for joining the Visa Waiver Program this year," said Homeland Security Assistant Secretary for Policy Stewart Baker. "This development will further strengthen the U.S. relationship with Malta and reflect our joint commitment to enhancing trade, travel, and security for all our citizens."

Malta was required to meet various security requirements, including more enhanced law enforcement and security-related data sharing with the United States. VWP members are also required to maintain high counterterrorism, law enforcement, border control and document security standards.

The VWP will enable citizens of Malta to travel to the United States, beginning on Dec. 30, 2008, for 90 days or less for tourism or business purposes without a visa, provided they have an e-passport and an approved authorization via the Electronic System for Travel Authorization (ESTA).

1 Dept. of Homeland Security Press Release, October 8, 2008.
2 White House Press Release, October 17, 2008.
3 White House Press Release, October 20, 2008.
4 Dept. of Homeland Security Press Release, October 23, 2008.
5 Dept. of Homeland Security Press Release, October 23, 2008.
6 Dept. of Homeland Security Press Release, November 3, 2008.
7 Dept. of Homeland Security Press Release, November 7, 2008.
8 Dept. of Homeland Security Press Release, December 18, 2008.
9 Dept. of Homeland Security Press Release, December 22, 2008.

https://doi.org/10.1017/S1052703609000525 Published online by Cambridge University Press