Department of Homeland Security Press Release, January 15, 2009[1]

Upgraded Biometric Technology Facilitates Visitors' Entry to the United States

The U.S. Department of Homeland Security (DHS) announced today that upgraded biometric technology is in place at major U.S. ports of entry, and most international visitors should expect to use the new technology when they enter the United States. DHS's US-VISIT program began upgrading its biometric technology from a two- to a ten-fingerprint collection standard in 2007 to make the entry process faster and more accurate, enabling DHS officials to focus their attention on people who may pose a risk to the United States.

"Since 2004, biometrics have facilitated legitimate travel for millions of visitors entering the United States," said US-VISIT Director Robert Mocny. "The ten fingerprint upgrade makes this proven system even more efficient and enhances the security of our nation."

For nearly five years, U.S. Department of State (State) consular officers and U.S. Customs and Border Protection (CBP) officers have collected biometric information—digital fingerprints and a photograph—from all non-U.S. citizens between the ages of 14 and 79, with some exceptions, when they apply for visas or arrive at major U.S. ports of entry. State consular officers began collecting ten fingerprints from visa applicants in 2007.

Collecting ten fingerprints increases fingerprint matching accuracy and reduces the possibility that the system will misidentify an international visitor. It also strengthens DHS's capability to check visitors' fingerprints against the Federal Bureau of Investigation's (FBI) criminal data and enables DHS to check visitors' fingerprints against latent fingerprints collected by Department of Defense (DOD) and the FBI from known and unknown terrorists around the world.

DHS's US-VISIT program, in cooperation with CBP, is leading the department's upgrade to ten fingerprint collection. This upgrade is the result of an interagency partnership among DHS, FBI, DOD and State.

US-VISIT provides biometric identification services to agencies throughout federal, state and local government. The program's most visible service is the collection of biometrics from international visitors when they apply for visas and enter the United States. Since US-VISIT began in 2004, DHS's use of biometrics has helped prevent the use of fraudulent documents, protect visitors from identity theft, and stop thousands of criminals and immigration violators from entering the United States.

Remarks by Secretary-Designate of Homeland Security Napolitano, January 15, 2009[2]

Secretary-Designate Janet Napolitano delivered these remarks in Washington, DC

Secretary-Designate Napolitano. Good Morning. Mr. Chairman, Ranking Member Collins, Members of the Committee, it is a privilege and an honor to be seated before you today in nomination to serve as Secretary of the Department of Homeland Security. And it is humbling, because as you know better than anyone, the urgent mission of this enormous agency is critical to the lives and the security of every citizen of the United States.

Mr. Chairman, Senator Collins, I particularly note and commend your foresight and leadership with respect to this agency. After the attacks on 9-11, you understood the need for a more organized, systematic approach in response to acts of domestic terrorism, and you held the vision necessary to forge this new department.

Granted, the birth of an agency is not easy—particularly one that involves 22 separate agencies and more than 200,000 employees. But much has been accomplished in a remarkably short period of time. I salute Secretary Chertoff and Congress for what has been done. I also thank Secretary Chertoff for a well-planned and thorough transition process, the first ever for this department.

I suspect, however, that we agree our work here is not finished. I look forward to our discussion this morning about your observations and interests in this complex organization.

The overriding and urgent mission of the United States Department of Homeland Security is contained in the name of the agency itself. To secure the homeland means to protect our nation's borders by finding and killing the roots of terrorism and to stop those who intend to hurt us; to wisely enforce the rule of law at our borders; to protect our national cyber infrastructure; and to prepare for and respond to natural and man-caused disasters with speed, skill, compassion, and effectiveness.

The Homeland Security mission is of paramount importance to the Obama Administration, to this Committee, and to me. The President-elect and I believe that, in meeting this responsibility, we must deal fairly with all persons and hold firmly to our principles of due process and equal protection under the law.

I also believe that a close working relationship with Congress and with this Committee is essential. I recognize this Committee's expertise, and I will cooperate fully with the Committee and its important oversight functions. I also look forward to the Committee's assistance with and support for identifying ways to make the work of DHS more effective and efficient. After all, we share a common goal: a strong and vigorous Department of Homeland Security.

As Governor of Arizona for the past six years, I have lived at the nexus of a key issue that faces this agency and this nation: that of immigration. I have walked, flown over, and ridden horseback along our southwest border. I appreciate its vastness, as well as the grave consequences of our broken system. I have acted—to the extent a state can—to deal with those realities, and I suspect many of your questions this morning will focus on what we have done and what yet needs to be done. I look forward to becoming as familiar with our northern border as I am the border with Mexico.

I also invite your questions about my

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work in the myriad of other all-hazard areas which intersect with the mission of DHS. For example, barely a year into my first term as Governor, Arizona saw the Lewis Prison Hostage Crisis—the longest prison standoff in U.S. history, and one of the few that was resolved without loss of life.

The Kinder-Morgan pipeline break was a man-made disaster, a major disruption to a pipeline supplying gasoline to the Phoenix area. Response to the immediate crisis uncovered critical system deficiencies; as a result, we implemented systemic changes and new procedures to ensure sharing of information between government and the private sector to ensure continuity of critical service.

The effects of drought in the western United States are acutely evident in Arizona, particularly in our forests which now suffer larger and more ferocious wildfires. We fought those fires, and used that experience to forge new, more effective forest management and enhanced fire and disaster response.

Arizona now has an online 2-1-1 system to swiftly deliver information to our citizens in an emergency; our state was among those that mobilized early and effectively to accept and assist evacuees from Hurricane Katrina; and Arizona was one of the first states to create an anti-terrorism law enforcement fusion center that has been cited as a model for other states.

Cyber security and the protection of the technology critical infrastructure have been a top priority in Arizona. As Attorney General, I created the Computer Crimes Unit to train law enforcement in the identification and investigation of cybercrimes; the Unit successfully prosecuted some of the first cybercrime cases in Arizona. As Governor, I created the Statewide Information Security and Privacy Office to ensure adequate controls and safeguards are in place for all State of Arizona government technology systems and business practices.

As Governor, my role is that of Chief Executive Officer and includes all the complexities of management, budget and accountability that are inherent in a multi-faceted organization.

The record of my work in these areas is a public one, and again, I am pleased to answer any questions you may have.

Please allow me to turn now to some of the issues that I know are of concern to you, and that President-Elect Obama has pledged to address.

To effectively secure our homeland, we must make the operations of this agency more effective. The creation of the Department of Homeland Security was essentially the largest re-organization of the federal government since 1947. As you know well, it was formed of 22 once-separate federal agencies and operates out of 70 buildings at 40 different locations in the Washington area. Forty percent of the workforce is contracted out and morale is low.

If you allow me to do this job, we will work to create a unified vision for this agency. In its short existence, we have seen—sometimes too clearly—the consequences of parochial lines and failure to communicate across those lines. We must and will streamline those communications to make certain the right person has the right information at the right time. We will recruit, train and retain the best and the brightest.

We must and we will build up the working relationships with the other federal agencies whose information, skill and expertise is essential to execution of a coordinated, fully functioning homeland security strategy that is deserving of the respect of American citizens.

The federal government cannot do this alone. As we strengthen these federal links to fulfill our mission of securing the homeland, we will also heighten and extend our cooperation with state, local, and tribal governments, and the many expert law enforcement, firefighting, and emergency management professionals. We will improve information sharing, strengthen our enforcement mechanisms and intensify accountability, and we will provide more effective means for the private sector to join us in meeting our goals for the safety and security of our nation.

By uniting, professionalizing and strengthening this department we will mature it, simplify it, clarify it and ultimately place it in a better position to fulfill the many duties we are asked to carry out.

Before we proceed further, please allow me to thank the current staff of the Department, especially Deputy Secretary Paul Schneider, for their responsiveness to my questions, for their thorough briefings, and for their commitment to making this transition as smooth as possible. Our goal is to have the national security team in place on January 21st and to have a seamless handoff of responsibility. The DHS staff has worked hard to make that a reality and I am grateful.

Again, I am privileged to appear before you today in consideration of serving as Secretary of the Department of Homeland Security. I look forward to working with the leadership and members of this Committee to make the Department as effective and efficient as possible. I am happy to answer any questions you may have.

White House Statement, January 16, 2009[3]

To Suspend Entry as Immigrants and Nonimmigrants of Foreign Government Officials Responsible for Failing to Combat Trafficking in Persons

In order to foster greater resolve to address trafficking in persons (TIP), specifically in punishing acts of trafficking and providing protections to the victims of these crimes, consistent with the Trafficking Victims Protection Act of 2000, as amended (the "Act") (22 U.S.C. 7101 et seq.), it is in the interests of the United States to restrict the international travel and to suspend entry into the United States, as immigrants or nonimmigrants, of certain senior government officials responsible for domestic law enforcement, justice, or labor affairs who have impeded their governments' antitrafficking efforts, have failed to implement their governments' antitrafficking laws and policies, or who otherwise bear responsibility for their governments' failures to take steps recognized internationally as appropriate to combat trafficking in persons, and whose governments have been ranked more than once as Tier 3 countries, which represent the worst anti-TIP performers, in the Department of State's annual Trafficking

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in Persons Report, and for which I have made a determination pursuant to section 110(d)(1)-(2) or (4) of the Act. The Act reflects international antitrafficking standards that guide efforts to eradicate this modern-day form of slavery around the world.

NOW, THEREFORE, I, GEORGE W. BUSH, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, including section 212(f) of the Immigration and Nationality Act of 1952, 8 U.S.C. 1182(f), and section 301 of title 3, United States Code, hereby find that the unrestricted immigrant and nonimmigrant entry into the United States of persons described in section 1 of this proclamation would, except as provided for in sections 2 and 3 of this proclamation, be detrimental to the interests of the United States.

I therefore hereby proclaim that:

Section 1. The entry into the United States, as immigrants or nonimmigrants, of the following aliens is hereby suspended:

(a) Senior government officials—defined as the heads of ministries or agencies and officials occupying positions within the two bureaucratic levels below those top positions—responsible for domestic law enforcement, justice, or labor affairs who have impeded their governments' antitrafficking efforts, have failed to implement their governments' antitrafficking laws and policies, or who otherwise bear responsibility for their governments' failures to take steps recognized internationally as appropriate to combat trafficking in persons, and who are members of governments for which I have made a determination pursuant to section 110(d)(1)-(2) or (4) of the Act, in the current year and at least once in the preceding 3 years;

(b) The spouses of persons described in subsection (a) of this section.

Sec. 2. Section 1 of this proclamation shall not apply with respect to any person otherwise covered by section 1 where entry of such person would not be contrary to the interest of the United States.

Sec. 3. Persons covered by sections 1 or 2 of this proclamation shall be identified by the Secretary of State or the Secretary's designee, in his or her sole discretion, pursuant to such procedures as the Secretary may establish under section 5 of this proclamation.

Sec. 4. Nothing in this proclamation shall be construed to derogate from United States Government obligations under applicable international agreements.

Sec. 5. The Secretary of State shall implement this proclamation pursuant to such procedures as the Secretary, in consultation with the Secretary of Homeland Security, may establish.

Sec. 6. This proclamation is effective immediately. It shall remain in effect until such time as the Secretary of State determines that it is no longer necessary and should be terminated, either in whole or in part. Any such determination by the Secretary of State shall be published in the Federal Register.

Sec. 7. This proclamation is not intended to, and does not, create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, instrumentalities, or entities, its officers or employees, or any other person.

Department of Homeland Security Press Release, February 4, 2009[4]

U.S. Department of Homeland Security (DHS) Secretary Janet Napolitano announced today her appointment of Dora Schriro as her Special Advisor on Immigration and Customs Enforcement (ICE) and Detention & Removal. This is a new position created by Secretary Napolitano to focus exclusively on the significant growth in immigration detention over the last five years, and to focus on the arrest priorities at ICE.

"Dora is one of America's leading minds on modern, effective prison management," said Secretary Napolitano. "In Arizona, she visited every correctional facility in the state and conducted a top-to-bottom review of their operations, tackling and reducing both overcrowding and recidivism. Her proven leadership and skills will serve not only this department, but also the individuals we need to house as we enforce our nation's immigration laws."

Remarks by Secretary of Homeland Security Napolitano, February 25, 2009[5]

Secretary Janet Napolitano delivered these remarks in Washington, DC

Secretary Napolitano. Chairman Thompson, Ranking Member King, and members of the Committee: I am pleased to appear before the Committee for the first time as Secretary of the Department of Homeland Security, and I thank you for this opportunity to discuss how DHS will work in the future to keep Americans safe.

At its core, I believe DHS has a straightforward mission: to protect the American people from threats both foreign and domestic, both natural and manmade—to do all that we can to prevent threats from materializing, respond to them if they do, and recover with resiliency. Government does nothing more fundamental than protecting its citizens. But the execution of this mission can be very complex.

In a little more than a month as Secretary, I have found a Department facing a number of challenges, many of which have been documented by the Committee. But I have also found a Department filled with committed public servants. DHS faces the challenges of a young Department, but this youth is also an advantage in undertaking the changes needed to best achieve the DHS mission. My message to you today is that I am confident that DHS—with the support and participation of Congress—can make those changes, meet those challenges, and move down "the path forward" to build a more secure Nation.

Action Directives

Improving a Department as large and new as DHS requires a broad look at the

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current state of its programs. As you know, the DHS portfolio is extremely diverse. During my short term as Secretary, DHS has helped respond to ice storms in the Midwest, rescued ice fishermen on Lake Erie, helped secure the Super Bowl, and even assisted in capturing pirates off the coast of Somalia—all since January 21.

In undertaking the leadership of the Department, I am setting priorities that will be important to me as Secretary. We need to hold people accountable, uphold professionalism across DHS, and act wisely with taxpayer money. We have to dedicate ourselves to doing what works, and frequently reassess the Department to make sure that we are responding to threats as best as possible and making the kind of progress that Americans expect and deserve. I promise to lead the Department in a way that focuses intently on achieving results that make Americans safer. To me, the process of producing results begins with a prompt assessment of the state of DHS's programs. We are performing that kind of review right now. In the several weeks after I took office as Secretary, I issued a series of action directives to assess the current functions of the Department and help target areas for improvement. As part of this process, the different components of DHS are reporting on their current operations and detailing ways that we could improve programs in the future.

The Committee and I have similar views of the Nation's homeland security needs. I have reviewed the Committee's eight platform points*, and the action directives I issued address all of those areas. I agree with the need to prioritize each of the areas the Committee listed, and I see the action directives as the start of a process by which the work of DHS and the Committee will improve them.

The action directives required DHS components to report back to me in a short timeframe, and I want to update the Committee on the status of the directives:

* Efficiency Review—Last week, I issued an action directive calling for an Efficiency Review across DHS. In a young Department that combines many processes previously scattered across the federal government, this review will be critical to improving the governance, functionality and accountability of DHS. Components will provide information on actions they are taking to reduce costs, increase transparency, streamline processes, eliminate duplication, and improve customer service.

* State and Local Intelligence Sharing and Integration—I issued two action directives concerned with the Department's partnerships and intelligence-sharing activities with state, local, tribal, and territorial partners. As a result of the directives, the Department is considering a possible future assessment of all intelligence-sharing efforts within DHS with an eye toward reducing duplication. DHS is also considering ways to improve intelligence sharing by involving state and local partners during the formulation of intelligence-sharing policies and programs. The Department is looking to improve the coordination of activities involving state and local partners across DHS. I issued a separate action directive on FEMA integration with state and local governments; FEMA presented feedback based on 75 recommendations emerging from the candid assessments of state and local homeland security and emergency management officials.

* Hurricanes Katrina and Rita—I issued an action directive regarding the Department's continued efforts in recovery from Hurricane Katrina and Hurricane Rita. As a result, FEMA will establish and field a senior-level team to identify issues related to—and review, assess, and identify—efficiencies that will improve Hurricane Katrina and Rita recovery efforts. FEMA will work to clarify and enhance the government's role as a more active and engaged facilitator of long-term community recovery working across agencies, and will move quickly to provide arbitration as an additional dispute resolution mechanism, as per the direction of Congress.

* Border Security, Immigration, Employment Verification, and Enforcement—I issued a number of directives related to border security and immigration. Among the directives, I requested an assessment of past border security assistance by National Guard and Department of Defense assets. I issued a directive to measure employer compliance and participation with the Department's E-Verify program and ways that DHS has worked both to reduce false negatives in order to protect the rights of Americans and to strengthen the system against identity fraud. I issued directives to assess the status of the Department's worksite enforcement programs, fugitive alien operations, immigration detention facilities, removal programs, and the 287(g) program. I asked for an assessment of the situation of widows and widowers of U.S. citizens who had petitioned for the alien spouse's immigration, but whose petitions were not adjudicated before the citizen spouse's death. I issued a directive to assess Department programs to combat border violence and drug smuggling, and as a result, DHS is considering ways to better engage partners and increase the effectiveness of these programs. I also issued a directive that assessed our northern border strategy. Through that directive, DHS is considering cases where, because of climate and geography, some specialized technology may need to be developed or modified in order to protect the northern border while mitigating unnecessary impacts on our extensive trade with Canada.

* Transportation Security—In an effort to assess security across all forms of transportation, I directed the review of transportation security in the surface, maritime and aviation sectors. The review identified a number of areas where risks to transportation security could be reduced. Resources such as explosives detection systems and transit, rail, and port security personnel contained in the recently passed American Recovery and Reinvestment Act of 2009 will enable the Department to accelerate the mitigation of risk in these areas.

* Critical Infrastructure Protection—I issued an action directive to assess the status of the Department's efforts to shield the Nation's critical infrastructure from attacks. The response contained several steps DHS would take to inspect the security of chemical plants and efforts DHS would participate in to limit the availability of dangerous materials. I issued a separate directive for an assessment of DHS's critical role in cybersecurity.

* Healthcare Surge Capacity—I issued

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an action directive that evaluated DHS's role in building capacity for a "healthcare surge"—the increase in people who might need medical attention after an incident—including DHS's supporting role in coordinating response to such an incident, and how the Department's preparedness and public communications efforts could better facilitate existing healthcare surge capacities. This directive will help us move forward on a critical element of our Nation's response capability.

* Planning and Risk Management—I issued an action directive asking for a report on DHS's lead role in the interagency effort to develop Federal operational plans for prevention, protection, response, and recovery activities for the National Planning Scenarios. The report will also discuss how DHS will work with law enforcement partners inside and outside the federal government in an integrated planning effort. I issued a separate directive to assess DHS's uses of risk analysis. As a result, several steps were identified that will assure DHS provides risk-analysis information to a full range of decision-makers, and assure that the Department's strategies are risk-based.

In addition to the action directives, I have also begun the process of reaching out to new Cabinet officers. I have already met with several of my fellow Cabinet officials about areas where our Departments will cooperate and coordinate. We in the Cabinet work in one administration, and we address problems together. In particular, I am conducting this kind of outreach vis-à-vis the Department's important role in the intelligence community. We are one of several agencies that work together to identify security threats, and the ability to cooperate and coordinate across departmental lines is paramount.

Priorities

The action directives process will help determine many of DHS's particular priorities as we look to move forward. But there are a few broad areas I can easily identify where DHS should focus in order to better protect Americans.

State and Local Partnerships

First among these areas is the Department's relationship with state and local governments. State and local law enforcement agencies are the forces on the ground that represent, inhabit, and patrol America's communities—the communities that DHS protects. We need strong relationships with our state and local partners, and I am committed to building them.

Partnerships with state, local, tribal, and territorial agencies affect DHS's ability to identify threats and bolster preparedness before an incident; they also affect our ability to work with first responders and assist a community's recovery after an incident. The information we gather, the funding we grant, and the training and assistance we provide are all more valuable in securing our Nation if DHS's relationships with the involved state and local agencies are strong.

Information sharing between DHS and state and local governments is particularly critical to our security. Over time, this topic has proven easy to talk about and difficult to act upon—but we must move forward on it if we are to strengthen our state and local partnerships. The fusion of information between the federal, state and local levels is what makes the intelligence-gathering process critically valuable to preventing threats from materializing. Information sharing is also what makes response efforts effective. The creation of a seamless network we can use to share this information among these levels of government is a critical part of improving our partnerships.

Already in my time as Secretary, I have traveled to four different states and met with state, local and community leaders in each of them about how DHS will continue to work with them. The range of topics we met about—disaster response, community assistance, the development of new technological capabilities for DHS, and preparedness—speaks to the extent to which DHS must partner with state and local governments to work effectively on any front.

When considering the action directives and the Committee's eight-point platform, it is also clear that many critical priorities—from transit security to border security to infrastructure protection—can only be achieved with strong state and local partnerships. Building these partnerships will be an ongoing priority throughout my time as Secretary.

Science and Technology

Second, DHS should build on its science and technology portfolio. Better science helps us understand emerging threats and how to identify, counter and mitigate them. Better technology can expand our capabilities and free our agents to spend their time where it is most valuable, while at the same time protecting the interests of private citizens by minimizing law enforcement's impact on lawful activities. Technology can also aid us in consequence management, so that we are better prepared to respond to any type of disaster.

It is difficult to think of an area of DHS operation where a greater use of cutting-edge technology would not improve capabilities. Our border security efforts, port screening, transportation security, customs processes, immigration programs, and preparedness and interoperability efforts could all benefit from a strong push to develop new technologies and implement them in the field.

A good example of better technology leading to greater capability is going live this week in San Diego. The port of entry at San Ysidro, the largest land port in the Nation, is now equipped with radio frequency identification (RFID) infrastructure—including software, hardware, and vicinity technology—that allows Customs and Border Protection Officers to identify travelers faster than ever. The technology expedites the travel of law-abiding border crossers and allows agents to focus on where they are most needed. The high-tech RFID system works in tandem with RFID-enabled documents such as passport cards, Customs and Border Protection's trusted traveler programs, and enhanced driver's licenses. An RFID tag embedded in these documents transmits a unique number to a secure CBP database as the traveler approaches the border, allowing agents to identify the crosser quickly. The high-tech system expands law enforcement capabilities while improving the process for Americans.

Of course, amid the implementation of new technology, we will continue to be diligent in honoring the rights of Americans and addressing concerns raised about

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privacy. To this end, last week I appointed an experienced new Chief Privacy Officer for the Department, who will bolster a Privacy Office already recognized as a leader in the federal government. Homeland security and privacy need not be exclusive, and the Department will look to include privacy in everything we do.

Technologies such as the RFID system at San Ysidro are examples of the potential of science and technology to make a great impact across DHS. Especially as DHS works to stay ahead of developing threats, the forward-thinking application of new technologies will be critical to enhancing the protection of our country. That is a broad-reaching priority I plan to pursue, and I look forward to working with the Committee on this effort.

Unifying DHS

To achieve its mission more effectively, DHS must not just operate better as one Department—it must identify as one Department, where many different people contribute in diverse ways to one paramount goal: securing our Nation. I am committed to building a unified DHS that is better able to achieve its mission.

The unification of the Department is an issue deeply related to DHS's operational capacity. It is important that we develop an identity for DHS that is centered on the Department's mission and that we build a "one-DHS" culture among the different components of the Department. We also must uphold the morale of DHS workers, an effort that a unified Department identity would support. Employees across the many DHS components perform difficult work that, day in and day out, upholds the security of our Nation. DHS employees should be proud of the public service they perform, and we should help them in their work by building a strong Department to support them. Low morale can lessen the ability of an organization to achieve its goals—something that we cannot let happen in homeland security.

The Department headquarters building will support our unification efforts, and I am grateful for the funds for the St. Elizabeths headquarters included in the American Recovery and Reinvestment Act. But ultimately, our Department is not a building; it is the people in the Department who will determine its success.

Achieving the goal of a unified Department will take time, but I am dedicated to making progress on this goal, and I look forward to working with the Committee on furthering it.

Conclusion

Chairman Thompson, Ranking Member King, and members of the Committee—thank you again for inviting me to testify. I am honored to serve in my new role as Secretary. I am eager to become even further immersed in the work of protecting our country. And I look forward to a long, productive relationship with the Committee as we work together to improve homeland security in our Nation. I am happy now to answer any questions you have.

* The Committee's platform items:

1. Improving the governance, functionality, and accountability of the Department of Homeland Security;
2. enhancing security for all modes of transportation;
3. strengthening our Nation: response, resilience, and recovery;
4. shielding the Nation's critical infrastructure from attacks;
5. securing the homeland and preserving privacy, civil rights, and civil liberties;
6. connecting the dots: intelligence, information sharing, and interoperability;
7. implementing common-sense border and port security; and
8. inspiring minds and developing technology—the future of homeland security.

Department of Homeland Security Press Release, February 26, 2009[6]

Departments of Homeland Security and State Certify Western Hemisphere Travel Initiative Criteria

The U.S. Departments of Homeland Security (DHS) and State (DOS) announced today that their efforts have enabled the departments to jointly certify to Congress that all statutory criteria have been met prior to implementing the Western Hemisphere Travel Initiative (WHTI) at land and sea borders on June 1, 2009.

WHTI is a joint DHS-DOS plan to implement a core 9/11 Commission recommendation, which Congress subsequently passed into law in the Intelligence Reform and Terrorism Prevention Act of 2004. Upon implementation of WHTI, travelers will be required to present a single WHTI-compliant document denoting both citizenship and identity when seeking entry into the United States through a land or sea border. Children under the age of 16 will need to present an original or copy of their birth certificate or other proof of citizenship. Standardized, secure and reliable documentation will enable U.S. Customs and Border Protection officers to quickly and accurately identify travelers at land and sea ports of entry. The WHTI secure document requirement is already in place for all air travelers, and applies to travelers entering the United States who were previously exempt, including citizens of the U.S., Canada and Bermuda. These land and sea document requirements will be effective June 1, 2009.

Many cross-border travelers already have WHTI-compliant documents such as a Passport, Passport Card or a Trusted Traveler Card (NEXUS, SENTRI, and FAST), or an enhanced driver's license (EDL) currently issued by the states of Washington, New York, and Vermont and the Province of British Columbia. The State of Michigan and additional Canadian provinces will be issuing EDLs in the coming months—all of which are options specifically designed for land and sea border use.

To implement WHTI as planned on June 1, DHS and DOS needed to certify that the eight criteria have been met:

1. the National Institute of Standards and Technology (NIST) certifies that DHS and DOS have selected a card architecture that meets or exceeds International Organization for Standardization (ISO) security standards and best available practices for protection of personal identification documents while being compatible with U.S. Customs and Border Protection's infrastructure;
2. the technology to be used by the United States for the passport card, and

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any subsequent change to that technology, has been shared with the Governments of Canada and Mexico;

3. an agreement has been reached with the United States Postal Service on the fee to be charged individuals for the passport card, and a detailed justification has been submitted to Congress;

4. an alternative procedure has been developed for groups of children traveling across an international border under adult supervision with parental consent;

5. the necessary technological infrastructure to process the passport cards has been installed, and all employees at ports of entry have been properly trained in the use of the new technology;

6. the passport card has been made available;

7. a single implementation date for sea and land borders has been established; and

8. the signing of a memorandum of agreement to initiate a pilot program with not less than one state on an enhanced driver's license to meet the documentation requirements for entry into the United States from Canada or Mexico at land and sea ports of entry.

Remarks by Secretary of Homeland Security Napolitano, March 19, 2009[7]

Secretary Janet Napolitano delivered these remarks in Washington, DC

Introductory Remarks Omitted

Secretary Napolitano. I think, to begin, we're obviously very focused on the situation in Mexico. I receive daily briefings from the components on their actions and initiatives at the border and I occasionally call the agents themselves who have seized guns and who have seized cash as we increase our efforts there.

To give you one example, Operation Armas Cruzadas in just one week, March 7th through 13th, seized 997 firearms that were headed south into Mexico. So those efforts continue to increase. Just yesterday, Customs and Border Protection intercepted $300,000 hidden in a spare tire at the border in El Paso. This morning I met with Minister Gómez-Mont, who is my counterpart in Mexico. We are working very closely with the Mexican Government to ensure our mutual security and in light of that, on April 1 through 3, I will go first to our Southwest border and then I will—and I'm going to go to the Port of Entry in San Diego. Then I will be traveling to Cuernavaca, Mexico, to attend the Arms Trafficking Prosecution and Enforcement Strategy Session and then I will go to Mexico City.

I know some of you want some exact numbers of what we're doing to augment our forces on the ground. Let me just preempt those questions and say that there will be further announcements on those in the coming days.

In addition, as I said at my last briefing, there has been in this department a contingency plan should we see a great spike in border-related violence as a result of what's going on with the drug cartels in Mexico. That plan was prepared but did not have input from the state and local law enforcement officials who actually police the border area. So I've sent Ted Sexton from the department down to the border, he's there now, to go through that plan and make sure we have their input. As a former border governor, I know how important it is to link up with and intersect with the efforts of state and locals in the border area.

So that is just a brief, brief summary of what's going on vis-à-vis Mexico.

Germany. I was just in Germany over the weekend for a meeting of what's called the G6+1. I'm the +1. The G6 are key European allies. This is a group that basically it's Ministers of the Interior and Homeland Security, people who have a similar portfolio, similar set of responsibilities that I have. It was set up to discuss our cooperation in dealing with terrorism and the issues of terrorism in our countries. It's obviously expanded to include some additional issues, as well.

One of the things we did do there was sign a national agreement with Germany to exchange research and technology that is specifically related to security and that is one of a series of binational agreements we've now signed on the science and technology front.

Next, FEMA. A couple of things on FEMA. I was in the Gulf Coast for a couple of days. We are now following up on that visit. In fact, I have my senior team back in New Orleans today. What we are working on doing is putting in place a process to kind of unclog some of the money to get some of these projects finished and where we can't come to agreement about what the amount needs to be to get an arbitration process in place and get some agreements made.

Next week, on Thursday, I'll be traveling to Port Arthur and Galveston in Texas, Hurricane Ike. They're having some of the same issues with respect to monies for their long-term recovery and getting those through the process. So this will give me an opportunity to meet with individuals there, local officials and the like, and see for myself what is happening and then we can put together an action plan about what we need to do.

We're obviously getting prepared for the next hurricane season. It starts coming up pretty closely now. We are meeting with governors in states that have hurricanes and the like in terms of preparation and then, of course, the president now has nominated Craig Fugate to be the head of FEMA and we look forward and hope, assuming he is confirmed, that he'll be able to join us relatively quickly.

In addition to those things, there are the ongoing matters of the department and all the components, some of which you're very familiar with, but I think it gives you a sense of—here's a phrase that I never used before I moved back to D.C. but I kind of like it. The battle rhythm of the job so far.

With that, I'll open it up for questions. Yeah?

Q. Okay. Randy Mikkelsen with Reuters. Can you please discuss the agenda for this Arms Trafficking Conference? Do you expect to move some policy initiatives or advance—advance the U.S. means to control the shipments?

Secretary Napolitano. Yes, I think—I think we'll be moving forward or discussing several items, and I think Attorney General Holder is also going to be there.

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So it's the same—it's the same meeting.

But one is what we can do to better intercept weapons that are going south from the U.S. into Mexico, not only with U.S. but also with Mexican Customs, and what are some of the security equipment, things that we can put in the ports there that will help us better detect whether arms are being taken illegally into Mexico.

Secondly, facilitating the tracing of guns that are actually used in crimes in Mexico and make sure that that is being done on—on a very, very real-time basis as opposed to guns being seized during some of these huge violent incidents in Mexico that get put in a warehouse and nobody knows where they came from. So those are two areas I think specifically that I will be part of.

Q. Is there sort of illegal activity on the U.S. side in supplying those guns? Are there things you can do—I mean, are there crimes that can be prosecuted here in terms of supplying those guns, and do you agree with some of the lawmakers—I think Attorney General Holder indicated during a congressional hearing that he would support an assault weapons ban. Is that something should be part of the Administration's agenda?

Secretary Napolitano. I think what we need to do is be—there are existing laws that can be used to prosecute these gun crimes in the United States, particularly if you're selling to someone who obviously is a straw purchaser. There are patterns of illegal gun sales. That's one of the reasons you want to do tracing, so you can see if large amounts of these weapons are all coming from one or two similar sources, you know, that sort of thing. So there's lots you can do on the investigation and prosecution side under the existing laws.

The key thing is to improve our—and to keep improving on our—our interdiction of the weapons before they even get in there.

Yeah?

Q. Cam Simpson from the Wall Street Journal. You talked about the necessity to go after some gun dealers and to bring prosecution cases. The case in your state was just thrown out—

Secretary Napolitano. Yes, I saw that.

Q.—by a judge and it was a state-prosecuted case with federal involvement that they took to the state instead of the federal court.

So I want to get your comment on that, and I also want to ask you about the plan you inherited from Secretary Chertoff. Do you think it's essentially a good plan, it just needs to be vetted a little, or do you see significant changes?

Secretary Napolitano. I can't comment on the case in Arizona, and I thought it was interesting, too, that it was in state court and not in federal court. But there are—I mean, I've done gun prosecutions, both as a federal prosecutor and as a state prosecutor, and there are a variety of statutes you can use in these kinds of situations, and I don't—but I can't comment as to what were the particular issues in that one.

No, I think the plan basically has—is—you know, has key elements in it that—that you need, but in my view, the one element that was missing was, you know, input from state and locals in light of the current situation now and so that's what we're going out to gather.

Yes, at the very end.

Q. So describe to us in your mind what would be the tipping point or the trigger point (inaudible). If you could just sort of flesh that out just a little bit.

Secretary Napolitano. Well, I'd like to but part of me cautions against doing that and that is because then people play all kinds of games with that. That's one of the reasons why I don't like, you know, firm guidelines on what size of dope cases you take to prosecution because then everybody plays games with that.

I think it will be a combination of increase in—it will be keenly involved with a noticeable increase in violence coming over into the northern side of the border.

Q. Kidnapping has started to soar. When you first started to characterize the cases, was it just thug on thug violence still roughly or has it really started to weave into other things?

Secretary Napolitano. Yeah. I'm actually going to testify on—on this next week in the Senate and—and again you have to appreciate where I'm coming from which is someone who's been dealing in this area for a long time.

But what is going on is several things simultaneously. One is the cartels fighting over ever-more restricted turf and so a lot of this is—you call it thug on thug but it is what it is, but—and then another is the major effort being put forth by the President of Mexico to break up these cartels, to begin with, and that is causing them to react. That reaction is—is primarily in Mexico and that's, you know, that's where you see these huge spikes of violence against law enforcement and public officials in the northern states of Mexico.

But the cartel on cartel, the drug organization on drug organization violence is upticking in the border areas and that's why we've been talking and have regular now call set with those border police chiefs and sheriffs because they can really tell us, look, we—we really can't handle this, we—we need—we now need a much larger federal contingent to back us up and also why I've sent people from my office to the border right now to get a sense of, okay, what are we really seeing.

But make no mistake. I mean, there is a big safety interest for the United States in this battle, be it conducted in Northern Mexico or within the United States. The only issue is, you know, at what level do we pull in the worst case scenarios and we're not to the worst case scenarios yet.

Yes, in the gray. I'm sorry.

Q. Jeanne Meserve, CNN. The governors of Texas and Arizona, along those lines, asked for money to pay for National Guard. Have you given them an answer yet?

Secretary Napolitano. No, we haven't. That's one of the reasons I'm not giving you some numbers today, because, as you correctly point out, there are several departments beyond mine that are now

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part of this issue on Mexico, including the Department of Defense, the Department of Justice, and the White House, although I don't know if you'd call the White House a department per se, but—but—but what I can say is that at the very highest levels in different places now, we're coming to grips with what operationally should be done in the near term and what we should be planning for.

Yes?

Q. Madam Secretary, Ginger Thompson with the New York Times. I understand that several groups have been meeting here and in Homeland Security to talk about the border and border security.

Can you tell us a little bit about those meetings? What agencies, what are all the agencies involved, and when will the comprehensive plan be announced and by whom?

Secretary Napolitano. Within the Department of Homeland Security, it is my office, including me, it is CBP, it is ICE, it is Coast Guard, it is I&A, Intel & Analysis, and Ops, but that gives you a sense of the component meetings.

Q. Madam Secretary, one of the—one of the—

Secretary Napolitano. The answer is—

Q. When are we going to get the comprehensive plan and who's going to make the announcement? We thought you might make some of those details public today.

Secretary Napolitano. Yeah. Yeah. No. It will be—I can't tell you the answer to that. All I can say is as soon as possible. It's now being—going at the highest levels. That's all I'll say.

Q. Madam Secretary, one of the real issues that border violence, according to some law enforcement and intelligence people, has created is opportunities for other people and projects to get into the United States.

How would you assess the ability to prevent that from happening or to deal with people trying to sneak into the States, that kind of threat?

Secretary Napolitano. Talking like a terrorist? I mean, what are you talking about?

Q. You could call it that.

Secretary Napolitano. Okay. Yes, I mean, one of the—you know, a safe and secure border is a high Homeland Security issue. Can you prevent a hundred percent of illegal crossings along a huge multithousand mile border, either north or south? Common sense says no, but you have to do everything within—within reason to get there, and—

Q. That's my—

Secretary Napolitano.—we are putting huge resources now into the border.

Yes, Tom?

Q. You mentioned a moment ago that the key is to improve the interdiction of guns before they get to Mexico. There's been talk about doing searches on cars. Who do you envision might be done as far as searching cars on their way south across the border?

Secretary Napolitano. There are a variety of ways that technology enables us to—to—to make a determination whether a car should at least be referred to a secondary inspection. Scanners, scales, you know, that—those kinds of concrete things at the border tell you, well, okay, is a car heavier than its model would indicate it should be? That—that would be something that—that a border agent could—could use as an indicia that, yeah, we should probably do a secondary, those sorts of things.

Q. Is that happening now?

Secretary Napolitano. Yes, there is some of that happening now. License plate readers where we look and see whether license plates on cars that there are warrants out on or have been reported as stolen. Those are out there now. What we're doing now is—is really expanding on those efforts more widely across the border.

Q. When you say expanding, what do you mean by that?

Secretary Napolitano. Again, let me just say there will be more on that announced very shortly.

Yeah?

Q. Can you please define "spill-over violence" and tell us whether we're seeing any? Because last week Roger Rufe said that there hasn't been any and then in an interview he said they're starting to see some spill-over violence.

Secretary Napolitano. Yeah. I think that kind of—let me tell you what I—what I mean by it. What I mean by it is in—are we seeing spill-over violence of the type associated with the war of the cartels against the Mexican Government coming into the United States, targeting of police, U.S. law enforcement, you know, U.S. public officials?

We have on one or two isolated instances seen targeting of a Mexican official who came over to the U.S. side while he was on the U.S side but we haven't really seen the former, the way you see—have seen in the northern states of Mexico this last year. That's one form of spill-over violence.

Another form is are we seeing an uptick in drug cartel on drug cartel-type crime in some of our border cities? The answer there is we are seeing some and the primary example would be kidnapping in some cities.

Q. Madam Secretary, I'm sorry, I came in a little late. I wanted to know if there's been personnel, U.S. personnel, not just Customs agents but ATF and other agents assigned to the border.

Secretary Napolitano. Yeah. What we're doing now is—is looking at how we redeploy assets to the border and the answer is that it's going to be—you know, this is a major effort and we can—we are doing a lot now. We can do more.

Q. Is ATF actually setting up a new

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project or deploying its resources to investigate this because it's my belief anyway that they're the principal agency as far as tracing guns and—

Secretary Napolitano. That's right.

Q.—other related distribution—

Secretary Napolitano. That's correct.

Q.—means. What about the idea of using the regular Army at some point to follow those other routes? Is that on the table?

Secretary Napolitano. That—your question about ATF, you're exactly right. That's why, when I said, look, at the very—now you've got Justice, ATF, FBI. You've got Department of Homeland Security, CBP, ICE, Coast Guard. You've got the White House. You know, all these places here have to be working in concert with each other, but I've met with the Attorney General about these issues. Our staffs have met. We have met with other members, you know, people in the White House and so forth. So that's the last part of this that is now coming together and like I said, I forget who wanted the question—oh, Ginger. You wanted the question. You wanted it like today. Are you answering it today? The answer is not today, but it is moving very rapidly and that's really all I'm comfortable saying now. I'm sorry?

Q. The regular Army involved in this?

Secretary Napolitano. Yeah. Well, the—the real issue—the issue is—is National Guard right now and that is something that is under consideration by the president, the Department of Defense and the Department of Homeland Security, and we're not prepared to give an answer quite yet.

Yes?

Q. Can you help give a little more finer reading on why now? You mentioned in January that, you know, this was something that you had noted to see at the top of the pile. Was it events on the ground, new intelligence that said it looks like the Joint Forces have been in November, a 25-year report forecast in November, a request by Mexico, the Calderón Government, a policy decision by the Administration, their election coming up in July? Can you talk about why this has emerged at the top of the pile at this time?

Secretary Napolitano. I think it's all of the above. I think it's been—it's been a growing situation in Mexico and I think it's been a combination of the things you named, plus the press beginning to cover what's been happening in Mexico in our papers up here, so it's getting greater attention by electeds beyond electeds in the border area that we're seeing this.

But in my view, this is a very, very important issue. It has Homeland Security aspects to it. It has safety aspects to it. We have citizenry who live along the border, but it also has impacts on the interior of the country, as well. So we all have an interest in this, and then again, you know, Mexico is our close neighbor and this is a huge battle that is being waged by the president of Mexico. We want to provide him the assistance that we can.

Q. Madam Secretary, I just want to ask you whether the new Administration has essentially re-evaluated the national security risks along the border. Under the Bush Administration, they focused on illegal immigration and drugs coming across. Under your Administration, they're very much focusing on weapons.

Secretary Napolitano. Yeah. We're still focused on immigration and drugs. It's not like we exchanged one for the other, but, you know, two years ago, three years ago, you didn't see this level of violence in Northern Mexico. So you've got to deal with the changing threat environment. I mean what was done two-three years ago may not be what needs to be done now. What needs to be done now may not need to be done two years from now. So we've got to always be thinking what needs to be done now, what do we need to be preparing for likely events in the future.

Q. Are we getting to the point where Mexico will be on the list of narco-states?

Secretary Napolitano. No. Indeed, what is impressive right now is the strength with which the Federal Government of Mexico is combating these cartels and it is, you know, that effort that we want to provide assistance for.

Q. Do you think there's a case to be made for revisiting the Merida issue, too, focusing on the aspects of judicial reform that have existed with Mexico?

Secretary Napolitano. Well, Merida, as you know, is—is housed at the Department of State, but I think that Merida will—will be one of the tools in the tool box that is employed in this effort vis-à-vis Mexico.

Q. Is that part of the problem, Madam Secretary, that the Mexico portfolio, you know, touches on so many agencies? Is the Administration at all thinking about housing them all, you know, particularly, you know, security, so that it's not State and Department of Justice and Homeland Security but sort of creating a Mexico Security Czar?

Secretary Napolitano. You know, I don't know about that. I mean a lot of the issues I deal with involve many agencies. I mean that's just the problems of today don't really match up with government, you know, organizations of—that we have in a way. They—they—and so one of my tasks is to be able to work with my colleagues on the Cabinet, with the White House, and with others and to recognize, you know, there are things Homeland Security will be doing, there are things that are going to impact the Department of State, impact DOJ and so forth, and that's—that's—you know, that—that's the effort that's going on now, is to make sure that we all know what each other is doing and are speaking with a consistent voice.

But—but if I had to sum up where we are, it's that this issue's getting top attention in multiple departments of the U.S., that planning is well underway and that we are having extensive discussions with

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our federal colleagues within Mexico and it is really focused on assisting the Mexican Government with their fight against the cartels. One facet of that assistance is looking at what we can do to stop cash and guns, and you guys didn't ask me about cash which is kind of interesting, from going south.

One aspect of it is supporting our state and local law enforcement along the border and being ever prepared to respond with more resources should we see spillover violence in the way I described it to you occurring.

Okay. Thanks, guys.

1. Dept. of Homeland Security Press Release, January 15, 2009.
2. Dept. of Homeland Security Press Release, January 15, 2009.
3. White House Press Release, January 16, 2009.
4 Dept. of Homeland Security Press Release, February 4, 2009.
5. Dept. of Homeland Security Press Release, February 25, 2009.
6. Dept. of Homeland Security Press Release, February 26, 2009.
7. Dept. of Homeland Security Press Release, March 19, 2009.

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