

**STATEMENT**

**OF**

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**BEFORE THE**

**UNITED STATES SENATE  
COMMITTEE ON THE JUDICIARY  
SUBCOMMITTEE ON ADMINISTRATIVE OVERSIGHT AND THE  
COURTS**

**REGARDING  
INFORMATION SHARING AND HOMELAND SECURITY NEEDS**

**WEDNESDAY, APRIL 17, 2002**

**226 DIRKSEN SENATE OFFICE BUILDING  
9:30 A.M.**

Mr. Chairman and Members of the Committee:

I appreciate the opportunity to appear before you to discuss the important issue of how technology and information can best support our efforts to reduce the threat of foreign terrorist activity.

The Immigration and Naturalization Service (INS) is clearly one of the core agencies that will require enhanced information sharing capabilities. The data we collect are crucial to the law enforcement and intelligence communities that are now integrating their functions to combat the threat of terrorism. The INS will need to take advantage of additional external sources of data to support our enforcement and intelligence functions.

Consequently, we are involved deeply in efforts to overcome barriers to the appropriate and secure exchange of data and, equally important, to convert that data to useful information that supports clear operational objectives. The Office of Homeland Security, in conjunction with the Office of Management and Budget, is coordinating agency initiatives that promote information sharing among Federal agencies horizontally, and then from those agencies, vertically, to State and local governments as well as selected private industries. INS is a working partner in those efforts.

Attorney General Ashcroft has made the prevention of terrorist activities an overriding priority of the Department of Justice and its components. With this goal in mind, he directed us to review and strengthen our policies and procedures to ensure information sharing and analysis and coordination of activities with other Federal agencies, as well as our State and local partners, to combat terrorism. This mandate, coupled with new legislation such as the USA PATRIOT Act of 2001, has provided us with greater authority to share information with Federal officials to assist in the performance of their duties. We are implementing the technical linkages with other Federal agencies to integrate data required to support this Act.

The Attorney General has also directed Department of Justice components to step up our efforts to coordinate information and activities in the common effort to prevent and disrupt terrorism. We are participating in Department efforts to improve data sharing.

Federal agencies maintain a number of databases that provide real-time information to officials at U.S. diplomatic outposts abroad, officers at ports-of-entry, and interior law enforcement officials (e.g., the State Department's TIPOFF program). We work closely with these agencies to prevent terrorists from entering the United States, to deny them entry across our borders, to detect and apprehend those already in the country, and to gather intelligence on the plans and activities of terrorist conspiracies. We provide in electronic format biographic, biometric, and associated data for inclusion in several external agency databases to better identify suspected terrorists. For example, through the Interagency Border Inspection System (IBIS), the primary automated screening tool used by both the INS and U.S. Customs Service at ports-of-entry, access is provided to many databases, including the FBI National Crime Information Center (NCIC). NCIC is the nation's principal law enforcement automated information sharing tool. It provides on-the-street access to information to over 650,000 U.S. local, State, and Federal law enforcement officers.

Additionally, the INS works to share information through the Integrated Automated Fingerprint Identification System (IAFIS) and other appropriate law enforcement databases to assist in detecting and locating foreign terrorists.

- We have successfully integrated *wants and warrants* from the NCIC and the FBI into our own IDENT system. Through this joint endeavor, since August 15, 2001, we have identified a total of 891 individual aliens at the border who were wanted on outstanding criminal charges. With the expansion of IDENT to INS offices in the interior, we have been better able to identify criminal aliens residing in the U.S.

- On October 30, 2001, the President directed the Department of Justice to establish the Foreign Terrorist Tracking Task Force (FTTTF). The mission of the FTTTF is to keep foreign terrorists and their supporters out of the United States by providing critical and timely information to border control and interior enforcement agencies and officials. To do so requires electronic access to large sets of data, including the most sensitive material from law enforcement and intelligence sources. The INS works closely with the FTTTF to discern patterns and probabilities of terrorist activities and to ensure that data is properly shared.

For many years, the INS has taken steps to enhance the exchange of information through greater cooperation amongst the law enforcement community. An example of this is the Law Enforcement Support Center available twenty-four hours a day, seven days a week to provide State law enforcement with data and information from INS databases. We also verify immigration status for State and local benefit granting agencies, some employers, and some State driver's license bureaus.

Finally, we are working internationally to develop better ways of sharing information that will support enforcement and intelligence operations. The U.S. Government recently signed agreements with the governments of Canada and Mexico to further these initiatives.

I cannot over-emphasize the commitment of the INS and other Federal agencies and other participants to work together to achieve a more supportive and comprehensive information support environment.

In each of these data sharing initiatives we must be sensitive to the Privacy Act and other relevant legal limitations on sharing information. When making information available to other entities, security, privacy concerns and appropriate user access are primary considerations for us. We have created a standing reviewing body to ensure all these issues are addressed with each type of data-sharing request.

All of our efforts to better share data need to take place in a sound planning and investment management process in order to succeed. Prior to September 11, the INS was developing mid-to long-range plans in response to growth in both its mission responsibilities and information sharing. Specifically, the INS has long-term plans to guide and align infrastructure and technology to accomplish this mission. The INS has undertaken several major initiatives to improve the planning and integration of its information technology environment, including an INS Enterprise Architecture Plan, a technology architecture, strategic information technology plans, and a five-year records management plan. One goal of these plans is to ensure enhanced data sharing that is secure, accurate, and timely, and that meets the enterprise's operational objectives, not individual and "stove-piped" business functions. Other goals of these plans include:

- Additional agent support equipment and technology enhancements and expanded access to biometric identification systems, such as a mobile IDENT system.
- Implementation of automated access to the National Crime Information Center Interstate Identification Index (NCIC III) through the Advance Passenger Information System to enable primary inspectors at ports-of-entry receiving Advance Passenger Information to identify, prior to admission, aliens with criminal histories.
- Improved system checks for the adjudication of applications at INS Service Centers and District Offices.

- Improved accessibility to all Department of State visa data and photographs in electronic form at ports-of-entry so that visa information will be available at the time of actual inspection.
- Expanded implementation of alternative inspection systems to facilitate admission of low-risk travelers while focusing on high-risk travelers.
- Deployment of the Student Exchange Visitor Information System, an Internet-based system that provides tracking and monitoring functionality on non-immigrant students and exchange visitors.
- Implementation of an entry and exit data system that will record the arrivals and departures of foreign nationals visiting the United States.
- Continued cooperation with the State Department to replace old border crossing cards with the new biometric border crossing card and deploy card readers to our ports-of-entry.

Even with each of these initiatives, there is no quick fix, technological or otherwise, to the problems we face. We must work with advanced technology and improve our systems. But technology alone cannot solve our problems. In order to leverage our resources and maximize our capabilities, technology must be coupled with a strong intelligence and information-gathering and distribution system. This will require seamless cooperation among the many Federal agencies involved.

The most compelling progress in this arena has been the formalization of the planning and management processes needed to achieve the necessary level of information sharing among Federal, State, and local entities. These structures will bring discipline to the development and application of technology and will ensure that the INS defines what our operational objectives should be, identifies the data and the data sources needed to support those objectives, and applies the appropriate technology solutions to deliver that information. It is crucial that we focus on the efforts exemplified by the Department of Justice and the Homeland Security Office that solidify the planning and administrative structure, while continuing to support immediate requirements levied every day by ongoing intelligence and enforcement operations. In this way, the INS will ensure a more dependable outcome that takes advantage of the wealth of technology solutions that already exist, but that may be embedded within individual agencies. Without these structures, we will be unable to interlace those solutions together in a meaningful way.

Thank you for the opportunity to testify before the Committee this morning. I welcome your questions.