

The Immigration and Naturalization Service Data Management Improvement Act (DMIA) of 2000 created an Attorney General's Task Force to evaluate and make recommendations on how the flow of traffic at United States airports, seaports and land border Ports-of-Entry (POE) can be improved while enhancing security. The bill creating the Department of Homeland Security (DHS) in November 2002 transferred these responsibilities to the Secretary, DHS. Statutory mandates include evaluations and recommendations on: an electronic entry/exit system; enhancing information technology (IT) systems and data collection/sharing; facilities and infrastructure issues; and how to increase cooperation between public and private sectors, among federal and state/local agencies and with affected foreign governments.

The DMIA Task Force, chaired by the Attorney General's designee and by the Secretary of DHS' designee later in 2003, is comprised of 17 representatives from six federal agencies, two state and local government groups, and nine private industry trade and travel organizations (see Appendix A, Task Force Components). Members of the Task Force were chosen to represent those agencies and organizations with the expertise necessary to find solutions to ensure the continued free flow of goods and people across our borders while addressing increased security concerns.

The Task Force is required to report to Congress on its findings, conclusions, and recommendations in accordance with statutory mandates of the DMIA 2000. After being chartered, the DMIA Task Force officially began work with the first meeting on February 20, 2002. The first Task Force report to Congress in December 2002 focused primarily on recommendations for an electronic entry/exit system, currently known as the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program. The report can be viewed at the DMIA Task Force website under border management at www.immigration.gov.

The Task Force focused its work in 2003 on the other statutory requirements, concentrating on three main areas for this report to Congress:

- **Cooperation and Coordination:** The Task Force examined these issues at various levels and developed recommendations for increasing and improving cooperation and coordination between public and private sectors, among federal, state/local governments and with affected foreign governments.
- **Facilities and Infrastructure:** The Task Force studied current infrastructure, deficiencies, and increased traffic demands and identified potential improvements to meet the requirements for overall security while improving the flow of traffic at POEs.
- **Information Technology Interoperability:** IT consultants from Los Alamos National Laboratory (LANL) continued with their in-depth analyses of border management systems, interoperability, and other data management considerations with a goal of increasing effectiveness and information sharing among appropriate entities.

Many issues and questions arose while the Task Force explored the complexities of increasing cooperation and coordination among public and private sectors; facilities and infrastructure issues; and how to increase the effectiveness of and leverage IT systems. The Task Force

also considered how to optimize the use of other resources, personnel, and changes in processing procedures.

The Task Force considered all of these issues in the broader scope of border management and also with a close eye on developments with the US-VISIT program and the impact those changes might bring.

Some of the issues and questions that the Task Force deliberated included:

- How, when and to what extent would the new DHS affect border operations;
- Would facilitation of travel and commerce be subsumed in a new Department focused on terrorism and security;
- How to integrate multiple, diverse IT systems currently in use by government and industry;
- How technology can assist, but must be implemented in conjunction with changes and synthesis of processes in order to be most effective;
- What kind of infrastructure can be built in a land border environment where different entities own the land and different countries control the access;
- Infrastructure issues at air and sea POE where, in most instances, the existing space for arrival/entry is inadequate and airport check in space is even more constrained due to the new Transportation Security Administration requirements for security;
- Expansion of initiatives that expedite known, enrolled, low-risk travelers/goods in order to better focus enforcement assets on those posing a higher or unknown risk;
- Resource issues including funding for infrastructure, initiatives, equipment and technology, and staffing issues;
- Coordinating with partners, stakeholders, and industry; and finally
- The importance of outreach and a proactive message from government and industry to explain any new procedures so as not to hamper travel and commerce to the U.S.

The Task Force gathered information on the areas of interest for this year's report by:

- Receiving briefings from representatives of various agencies on select topics;
- Making site visits to POEs and related field offices throughout the U.S., Canada and Mexico, including the U.S. Consulate General in Ciudad Juarez.
- Holding stakeholder meetings and talking with industry and government representatives in various locales around the country; and
- Convening on a regular basis to discuss findings.

As the Task Force began its second year of work in January 2003, DHS was being formed from 22 separate agencies and began to merge these entities in March 2003. The Task Force was impacted in that the chair and many members' agencies were being moved and the responsibility for border management was shifted to the new Department. A great deal of effort was being expended by all those involved to ensure as smooth a transition as possible by March 1, 2003, and to avoid any disruptions at the borders.

The ramifications of the unification of these disparate agencies were apparent at every site the Task Force visited between April and August 2003. The move of so many agencies to DHS created many new issues this year in terms of logistics, but also brought about the ability to increase cooperation and coordination by simplifying the chain of command. A consolidation of this magnitude will take considerable time to become seamless, but the Task Force has observed tremendous efforts being made and the considerable benefits of the streamlining in the first year of DHS' existence. The Task Force believes that DHS should continue its efforts to consolidate and streamline all legacy regulations, policies, and procedures to reflect the new responsibilities of the Department.

Similar to findings in 2002, the Task Force again found in 2003 that funding for facilities and infrastructure is a national problem and that critical needs must be prioritized and funding allocated to optimize the flow of legitimate travelers and commerce and provide increased national security. This needs to be coordinated with funding for an appropriate mix of technology, equipment and personnel and an expansion of known, enrolled, low-risk traveler/goods programs, in order to leverage technology, limited resources and maximize the capabilities of limited facilities.

The Task Force considered all the issues that were raised during its work this year and came to a consensus on the following twelve recommendations to address current needs.

1. National and economic security requires that appropriate funding levels be established and adequate funding provided for the facilities and infrastructure. This is critical to handle current and anticipated increases in growth in traffic and to address proposed changes in inspection procedures at the nation's borders.

Fund and develop mechanisms among federal, state, local, and private industry partners for the innovative planning and implementation of facilities and infrastructure.

Where applicable, the use of existing space and infrastructure, both domestic and foreign, should be maximized, including the sharing of facilities among agencies. All possible scenarios and configurations should be employed.

2. The Task Force proposes that a panel be established to develop feasible solutions to address the issues of recruitment and retention within border management agencies, in a holistic manner incorporating issues such as cost of living, housing availability, and other factors in certain geographical areas. The panel should include a variety of members from public and private industry and government organizations to attain a wide range of concepts and possible solutions that would be offered from various perspectives.

3. Congress should review all federal agencies that are conducting inspections at POEs but are not currently part of DHS to ensure coordination of relevant responsibilities.

The Federal Government must apply its policies and procedures so that they are consistent in their respective POE environment.

4. Expand and enhance initiatives that “push back the border” in order to increase national security and the facilitation of the lawful entry of people and goods.

5. Promote, expand, and improve initiatives that identify, enroll, and expedite known, low-risk travelers and cargo. These programs should maximize enrollment and minimize cost to the participant while still ensuring security and the vitality of the programs.

6. Continue to improve communication mechanisms for discussion and coordination among federal, state, and local governments and industry. As appropriate, consult widely with these same entities in the formulation of public policy prior to implementation.

Government and industry must work together to develop an extensive and proactive outreach program to communicate with the traveling public.

7. Establish and fund joint federal, state, and local operation centers to coordinate security and first responder efforts with relevant foreign and domestic governments and industry partners as necessary.

8. Expand and enhance the utilization of passenger analysis units and joint passenger analysis units and assure that they have the personnel and resources to function effectively. Consideration should be given to expanding the participants in the joint passenger analysis units.

9. Information technology systems should be enhanced or designed to ensure compatibility and meet the needs of the end-user. This is to achieve effective communication with federal, state, local, and private industry partners.

10. The Federal Government should create an information technology master plan that employs consistent interfacing and appropriate technologies that still achieves required security and data-sharing needs. Such master plan should:

- Rigorously assess the value of multiple biometric measures;
- Proactively avoid systematic obsolescence;
- Ensure the quality of the data that supports database systems;
- Ensure “new” systems are designed to easily accommodate change;
- Leverage technologies currently available to enhance security and facilitation in the border management systems;
- Use a pilot project to rigorously field test systems under operational conditions before major rollout at POEs where significant negative impacts could be felt;
- Fund critical IT border management modernization systems;
- Fund and equip all border enforcement programs with compatible technologies and equipment; and
- Protect respondents from public release of proprietary or confidential information.

11. Fund an analysis to optimize the best mix of relevant technology and properly trained staff in order to maximize resources and use of facilities.

- Develop a staffing “maximum wait” formula and fund personnel to meet optimum inspections staffing requirements.
- Provide flexibility into the design of FIS processing to allow for future implementation of the latest advances in security technology and electronic information capture, including biometrics, that will speed up processing time and re-evaluate the size of FIS areas within POEs.

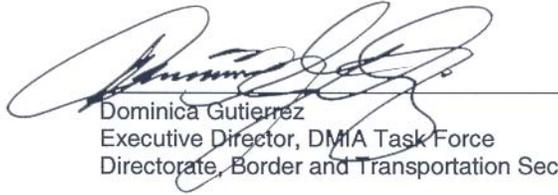
12. Recognizing efforts of the Department of Homeland Security working with the Department of State on the US-VISIT Program thus far, it is recommended that the first phase at air and sea POEs be reviewed and evaluated no later than 6 months after implementation by an independent body. This evaluation must consider the program’s effect on national and economic security and international trade and travel. Congress should consider any recommendations from the independent review and evaluation and

also reconsider deadlines for all other entry/exit statutory requirements. It is further recommended that any mandates in this area receive appropriate funding.

The chapters and appendices that follow delve into all these areas in greater detail. The narrative and findings reflect not only those issues explored in 2002/2003, but also the unique combined expertise of the 17 different public and private sector organizations on this Task Force towards protecting our Nation's borders consistent with economic security.

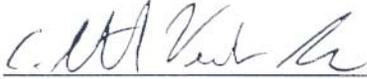


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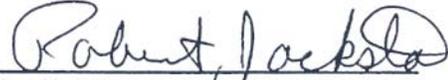


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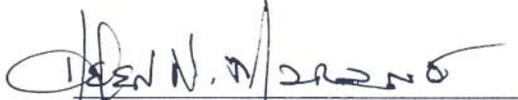
The DMIA Task Force members reached consensus on all twelve general recommendations.



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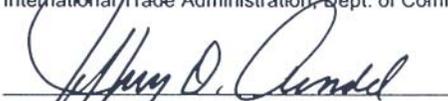
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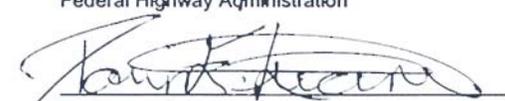
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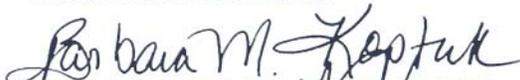
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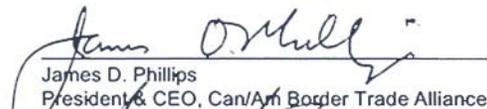
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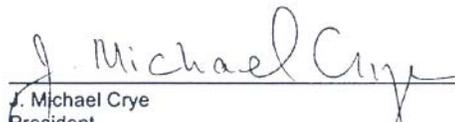
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