

Canada - United States
Inter-Parliamentary Group
Canadian Section



Groupe interparlementaire
Canada - États-Unis
Section canadienne

**REPORT OF THE
CANADIAN PARLIAMENTARY DELEGATION OF THE
CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP
TO THE
*MEETING OF THE CANADIAN/AMERICAN BORDER TRADE
ALLIANCE
THE U.S./CANADIAN BORDER: A UNIFIED FOCUS
Washington, D.C.
September 10-12, 2006***

From 10-12 September 2006, members of the Canadian Section of the Canada-United States Inter-Parliamentary Group attended the meeting of the Canadian/American Border Trade Alliance in Washington, D.C. While in Washington, they also met with Ambassador Michael Wilson, Canadian Ambassador to the United States, and discussed a number of bilateral issues, including the Western Hemisphere Travel Initiative.

**THE U.S./CANADIAN BORDER: A UNIFIED FOCUS
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BROKERS AND LOGISTICS PANEL

Candace Sider, Livingston International

- many things have changed on the northern border, and enhanced security exists without impeding legitimate commerce
- both countries – Canada and the United States – have complex new programs in place to ensure security and to enhance prosperity
- the Canadian government's commitment to security has focussed on funding, firearms, training and infrastructure, among other initiatives
- while progress is being to be made, infrastructure issues along the northern border continue to exist

Amgad Shehata, UPS

- prosperity and security are co-pilots; it is not the case that one is driving the bus while the other is the passenger
- aspects of the Security and Prosperity Partnership demonstrate a commitment to create a seamless border; however, in some ways, it is becoming increasingly difficult to cross the border; we need to prioritize initiatives, and eliminate duplication, and unnecessary requirements, redundant processes, etc.
- the Western Hemisphere Travel Initiative will almost certainly have an effect on the movement of goods, resulting in delays at the border
- new processes and changes to existing processes result in higher costs, which harm the competitiveness of North American businesses

Chip Bown, *FedEx*

- truck manifest information should be transmitted electronically rather than by paper
- regarding the August 2006 announcement by the U.S. Department of Agriculture Animal and Plant Health Inspection Service, there is some concern that the inspections must be done and the fees must be collected in a manner that does not impede or delay trade

Matthew Parrott, *A.N. Deringer*

- e-truck manifest operational ports exist at: Blaine, Washington; Pembina, North Dakota; Detroit, Michigan; Buffalo, New York; and Champlain, New York
- carriers/brokers have certain issues that they must work through

US-VISIT IMPLEMENTATION STATUS

P.T. Wright, U.S. Department of Homeland Security

- Canada and the United States are closer than friends
- some sense of normalcy has returned now that five years have passed since the terrorist attacks of 11 September 2001
- there are innovative ways in which to ensure security while recognizing the need for legitimate goods and people to move across the shared border
- we must not turn the northern border into something that resembles the southern border
- US-VISIT was the first program after the terrorist attacks of 11 September 2001 to be “technology-heavy,” in some sense; its technological aspect made it rather unique, as did its broad application, and it essentially revolutionized how people are processed
- US-VISIT captures a digital photograph of the left and right index fingers as well as visa information; movement to a ten-print system is likely to occur, which should act as a deterrent
- recent changes to the US-VISIT program have meant that some Canadians are now covered
- radio frequency technology is being tested at: Blaine, Washington; Alexandria Bay, New York; and Nogales, Arizona; it is hoped that this technology could be included in documents that are issued in the future
- the United States is working toward 100% verification at the land border in the same way that there is 100% verification at the air border

- biometrics are an important tool in enhancing security
- the fraudulent use of documents is the primary tool used by terrorists to move around the world
- a comment period is underway with respect to the Western Hemisphere Travel Initiative, and thoughts and views continue to be sought

NORTH AMERICAN SECURITY ZONE

Deborah Spero, U.S. Department of Homeland Security

- on 11 September 2001, four commercial airliners changed the course of history and our view of the world
- as evidenced by the London bomb plot in August 2006, we must be as vigilant as ever
- the Smart Border Accord provides layered defence based on risk management
- regarding cargo security, elements of protection include:
 - advance information – more information is provided earlier about what will be arriving and from whom
 - targeting and analysis – the risk that the cargo presents is assessed and the need to inspect the cargo is determined
 - technology – such as radiation detection and X-ray
 - partnerships to secure the global supply chain – partners include the private sector and governments around the world, with a “trust, but verify” philosophy and tiered benefits for those who go beyond minimum standards in securing their supply chain
- regarding passenger security, elements of protection include:
 - advance information – there is a proposal to ensure that passenger information is submitted 15 minutes before the plane pushes back from the gate, since information that is transmitted 15 minutes after the plane takes off is too late to protect the plane and its passengers; Passenger Name Records must provide information while protecting privacy
 - trusted traveller programs – these programs are the essence of risk management; programs to assess and to verify documents to ensure that they are not fraudulent are underway
- while we are safer today than ever before, sooner or later there will be an event that requires a global response, whether the event is natural or man-made; efforts will be made to avoid shutting down the northern border

TECHNOLOGY MONITORING

Brian Bowen, Bowen Enterprises, Inc.

- Automated Commercial Environment filing options include:
 - the free U.S. Customs and Border Protection portal,
 - third-party portals and full-service preparers/submitters
 - backend system interface
- the time it takes to test the solution chosen generally depends on: implementing the filing solution; testing and documenting new procedures; and educating drivers
- regarding the U.S. user fee decal program, carriers receiving 2006 user fee decals, for which they paid \$100 annually, received a transponder-enabled decal; a decrementing decal has been scheduled for deployment in September 2008

THE CANADIAN PERSPECTIVE

Claude Carriere, Canadian Embassy

- even though it is five years after the terrorist attacks of 11 September 2001, we cannot relax our vigilance against terrorism; in this regard, Canada is not different from other countries
- Canada is committed to identifying terrorist threats
- bilateral successes include: energy trade; the softwood lumber agreement; Open Skies; Halifax pre-clearance; the Security and Prosperity Partnership; the North American Competitiveness Council; North American freight transport; and bilateral tourism
- despite our bilateral successes, some challenges remain, including: the Western Hemisphere Travel Initiative; changes to the US-VISIT program that would result in some Canadians being covered; recently announced U.S. Department of Agriculture Animal and Plant Health Inspection Service fee and inspection changes
- although the “twin pillars of security and trade” are often highlighted, some believe that one pillar is taller than the other, and that the border is becoming thicker rather than thinner, as well as more opaque and less predictable

VIEW OF THE U.S./CANADA BORDER, SMART BORDER IMPLEMENTATION AND SECOND STAGE

Al Martinez-Fonts Jr., U.S. Department of Homeland Security

- Since neither Secretary Michael Chertoff, U.S. Department of Homeland Security, nor Al Martinez-Fonts Jr., Assistant Secretary for Private Sector at the U.S. Department of Homeland Security, were available to attend the meeting, Jim Phillips read a speech given by Secretary Chertoff at Georgetown University. The speech is replicated below.

REMARKS BY SECRETARY OF HOMELAND SECURITY MICHAEL CHERTOFF ON SEPTEMBER 11: FIVE YEARS LATER

Well, thank you very much for that warm welcome and for the opportunity to address you in a very handsome hall here in what I gather is the oldest building in the campus and one in which George Washington used as the basis of his farewell to the diplomatic corps.

Provost O'Donnell, I appreciate your introduction. I want to thank Gary Schiffman, who is a former colleague at the Department of Homeland Security, for welcoming me to the university to speak.

And I'd also like to thank Daniel Byman, the Director of the Center for Peace and Security Studies, who I gather was not able to be with us here today. And of course, it's a pleasure to have colleagues from the Department, students, and friends, as well.

Today, we are gathered just a few days before the 5th anniversary of the September 11th attacks against the United States. And as we begin to think back on the events of that tragic day, we have an opportunity to look, both in terms of what we've learned and to look ahead in terms of what we know we need to do. It's appropriate to reflect on some of the steps we've already taken, and to measure the progress we have already made to protect our country and our citizens against further attacks. And of course, it's certainly worth remarking on the fact that there has not been a successful attack against Americans on American soil since September 11th.

But we also have to recognize remaining challenges and be clear about setting the priorities we need to have in place to make sure that there is not a successful attack in the years to come.

For everybody in this room and for everybody in this country, September 11th remains a defining moment in our personal lives and in the history of our country. Even today, looking back, it's difficult to comprehend the full nature of the devastation and loss of life that flowed from this premeditated and infamous act of war against innocent people from all over the world, doing nothing more than working here or visiting here in the United States; a senseless campaign of murder that resulted in the death of nearly 3,000 men, women and children of all backgrounds and all faiths.

All of us have our personal memories of that day where we each -- where each of us were, what we experienced, how we first learned about it. I can tell you, speaking for myself, I was the head of the criminal division, and from the moment that I first learned

that there had been airplanes directed into the Twin Towers of the World Trade Center, I dedicated myself, with my colleagues in the government, to tracking down those who had done us harm and who still intended to do us harm.

And even today, when I go into New York, and I look at the scar in the earth that is what remains of the physical structure of the World Trade Center, it's hard to escape that feeling of the breathtaking devastation and the infamous nature of that crime against humanity, which was the attack on the World Trade Center.

So for those who need to be reinvigorated in the struggle against terror, I suggest that as we approach this 5th anniversary, you visit the site of the World Trade Center or the Pentagon, where an airplane killed many, many of our soldiers and our defense workers, or to go out to the field in Shanksville, where the heroic passengers of United Flight 93 averted yet another attack against our nation's capital.

The fact of the matter is, no words can fully describe the measure of the tragedy of 9/11. But amid the horror of that day, we should also remember that we witnessed tremendous courage, valor, and sacrifice: first responders who gave their lives entering burning buildings, citizens who fought back over the skies in Pennsylvania, other citizens on other aircraft who picked up their cell phones and called loved ones in the last moments before those planes were turned into weapons of mass destruction. Out of the crucible of 9/11, we witnessed not only horrible evil, but also wonderful courage and virtue. And I think that we ought to consider the shining example that comes out of it that day, as well as the clear warning of what lies ahead if we do not continue to build our safety and security here in the United States and all over the world.

We've had five years to absorb the lessons of 9/11, and we have acted deliberately and decisively to reduce the risk that we will ever face another day like that infamous September morning. We've learned that we cannot be complacent in the face of terrorism. The fact is that terrorists continue to plot, even as we strike against them. That was exposed yet again this past August, when we uncovered and disrupted a potential horrible attack against airliners flying from the United Kingdom to the United States.

And we've been less successful in other parts of the world. There have been attacks against American citizens overseas, our allies and innocent civilians in London, in Bali, and in Madrid, and all over. Americans have come to understand that protecting our nation involves trade-offs. We cannot pursue the illusion of perfect security obtained at any price, but we must pursue a security that is strong, and it has to be one that is also consistent with our freedoms, our values, and our way of life.

As we begin this first decade of the 21st century, therefore, having emerged from the Cold War and the struggles of World War II, we face a new challenge that has every bit as much danger as the challenges we have faced in this country in prior decades. And we have to reorient our approach to that threat. We have to build a security system with urgency, with flexibility, and with resolve.

Now, a critical part of the President's strategy in dealing with this new threat of terror involves in taking the war to the enemy overseas -- in Afghanistan, in Iraq, all over the

world -- working with our international partners to disrupt terrorist plots and to dismantle terrorist threats before they reach our own shores.

Here at home, we have to continue to work to build a unified set of effective capabilities to manage the risk to the people of this country. The Department of Homeland Security, which I am privileged to lead, was created specifically to integrate our national capabilities against all kinds of threats, whether they be acts of terror or natural hazards, or even medical hazards like pandemic flu. And the key to this integrated approach, this partnership, working with state and local governments, working with the private sector, working with our allies overseas, and most important, working with the individuals and families and communities all over the United States.

So looking back and looking forward, how do we build on our progress to date? What are the remaining challenges we have to face? And how are we going to allocate priorities among them? And what is the path we have to follow to achieve those steps that must be in place to guarantee ourselves and our families' safety in the years to come?

Well, let me say, there's one critical thing we have to recognize at the threshold. We have to be focused on the most significant risks, and we have to apply our resources in the most practical way possible to prevent, protect against, and respond to manmade and natural hazards. That means we have to make a tough-minded assessment, and we have to recognize that it is simply not possible to eliminate every threat to every individual in every place at every moment. That is simply not the way life works.

And if we could achieve absolute perfect security against all threats, we would only be able to do so at an astronomical cost to our liberty and our prosperity. As the President said a couple of days ago, you need look no further than the words of bin Laden, himself, to see that he sees victory for his cause in bankrupting and destroying the countries of the West. And we cannot hand him the victory by being so hysterical and overreacting to such a great extent that we destroy our way of life in order to protect it.

That means we do have to be disciplined in assessing the threats, looking at our vulnerabilities, and weighing consequences, and then we have to balance and prioritize our resources against those risks so that we can ensure the right amount of protection for Americans in our nation without under-protecting, but also without overprotecting.

So let me ask the question: What are those things we ought to be most concerned about? Well, it seems to me that our priority has to be focusing on those possible terrorist events that pose the greatest potential consequences to human life and to the continuity of our society. At the top of that list is the threat of weapons of mass destruction. Weapons of mass destruction are weapons that, if used, would have a shattering, earth-shaking consequence for this country. And preventing the introduction and use of those weapons has to be the number one thing we attend to in the years to come.

We also must continue to guard against infiltration of this country by international terrorists, international terrorists who have the capability and the intent to cause real damage to the functioning of this country by engaging in multiple high consequence attacks on people and our economy. And the illustration of this kind of a plot is the plot

of London -- that plot in London that was uncovered this past month; a plot that, had it been successful, would not only have caused the lives of -- cost the lives of thousands of people, but would have had a -- would have raised a very significant blow against the functioning of our entire system of international trade and travel.

But even as we look at these high consequence threats, we have to be mindful of something else: the potential for home-grown acts of terrorism. We have to recognize that there are individuals who sympathize with terrorist organizations or embrace their ideology, and are prepared to use violence as a means to promote a radical, violent agenda.

And to engage with this emerging threat, we have to work not only across federal, state and local jurisdictions to prevent domestic radicalization and terrorism, but we have to build a new level of confidence and trust with our American Muslim community, who have to remain critical partners with us in protecting our country.

So let's look back and measure where we've come, and then let me be very clear about where we need to go and what our plan is to get there. Well, over the last five years, we've taken some very significant steps to address the threat of terrorism by closing vulnerabilities that existed five years ago on September 11th, and by creating what we call layers of security across land, sea and air.

And I think I'm going to take the opportunity today to highlight some of the new capabilities we have in place and point out what we're building for the next couple of years. These areas include screening people at the border to keep bad people out of the country; screening cargo to prevent bad things from coming into the country; protecting our critical infrastructure so that even if someone mounts an attack, we can reduce our vulnerability; sharing information so we can stop attacks before they begin; and, finally, boosting our emergency preparedness and response so that even if there were a successful attack, we could minimize the damage by acting promptly and effectively in response.

First, screening people at the border. Our number one defense against terror involves the perimeter, keeping dangerous enemies from entering the United States of America.

Five years ago, before September 11th, we had very limited tools to accomplish that mission. We had fragmented databases, biographical information to determine whether a person posed a security threat or should be allowed to enter the United States. The process, even if it worked at all, was cumbersome, inefficient, and fraught with vulnerabilities. And the proof of the pudding is in what happened on September 11th. We learned looking back that terrorists had accessed this country on repeated occasions, even though we knew who some of them were, and we weren't able to screen them from coming into the United States to execute their deadly plot.

Today, five years later, we have transformed our screening capabilities at the international ports of entry. And we've done that in order to prevent terrorists and criminals from entering the United States to do us harm. We have pulled together and unified our counter-terror databases, and we've dramatically strengthened the process we use to issue visas.

Equally important, we have implemented biometric capabilities, fingerprint-reading capabilities at all of our international ports of entry. With these new fingerprint reading capabilities, which are part of the program we call U.S. Visit, deployed all over the ports of entry at land and in the air and at sea, we can now, within seconds, positively confirm a person's identity against their passport and against our databases by checking two-digit finger scans against watch lists and immigration records.

The result of this dramatic step forward in screening at the border is illustrated to me day in and day out when I come in to get my briefing in the morning as Secretary. Because repeatedly I hear about dangerous people who have been stopped at the border and denied entry based upon the tools we have given our border security officials five years after 9/11.

Of course, we have to worry not only about those who come in through the ports of entry, like the 9/11 hijackers, but we have to worry about those who might come in to do us harm between the ports of entry. And here again, we have made protecting our borders one of the top priorities of the Department of Homeland Security and, indeed, of the entire administration.

And we've made progress securing the miles of border, the thousands of miles of border that lie between our designated international ports of entry. We've done it by giving the men and women who do the job of patrolling the border the tools, the technology, and the resources they need to do their very important job of protecting the perimeter of this country.

Again, looking back five years ago, before 9/11, we had about 9,000 Border Patrol agents along our southern and northern border. But under the President's leadership, today we have more than 12,000 Border Patrol agents. And by the end of 2008, we will have over 18,000 agents. We will have more than doubled the number of Border Patrol between our ports of entry. And while we are waiting to recruit and train and deploy these additional Border Patrolmen and women, the President has ordered the National Guard to the border to support the existing Border Patrol agents. And that has caused a huge amplification of our capabilities in protecting this country against those who want to cross illegally to come in to do us harm.

Since 9/11, the Border Patrol has apprehended and turned away some 6 million illegal migrants trying to cross our borders. Now, I'm not saying, of course, the vast majority of those are terrorists. Quite the contrary, the vast majority of those are coming for economic reasons. But the fact of the matter is, if we can control our border and do it in an intelligent and comprehensive fashion, we can focus ourselves in continuing to raise the barrier against those who would come to this country to do us harm.

Let me tell you some other things we have done to control the space between our ports of entry. Before September 11th, we did not have the adequate bed space that we needed to detain people who came in illegally that we captured. And so a significant number of these people, even if they were caught entering illegally were released into the community -- and to no one's great surprise, never showed up again for their court appearances.

But today, by taking a disciplined and strategic approach to dealing with the crisis of illegal migration, we have completely transformed that policy. We have ended this pernicious practice of catch and release at the border. We now catch, detain and return to their home country virtually everybody that comes across the border illegally. And that is a major step forward, not only in protecting our borders against terrorists, but in maintaining the general integrity of our country against those who come in illegally.

We see real results. For the first time, we are seeing a real decline in the total number of illegal migrants that are trying to come across our nation's southern border. It proves that the efforts we are putting into place are beginning to work. But we have more to do. Under the Secure Border Initiative, we are going to be rolling out new technology, new tactical infrastructure, unmanned aerial vehicles and other high-tech to give our Border Patrol agents the kinds of tools they need to do the job that we have entrusted to them.

We still have a lot of work to do at the border, but we should certainly remark on the progress we've made. We are now moving in the right direction. And with the help of Congress, and with the continued support of the fine men and women who work at the border, we're going to continue to make more progress.

So that's where we've come in screening bad people out. But what do we have to do next, because there remain some very significant challenges. Well, as again emphasized by last month's London airline threat, we have to be able to determine as early as possible who is trying to come into this country from overseas, and who is trying to get on an airplane that might do us harm.

Right now, under our current arrangement, we still only get full information about the identity of passengers boarding international air flights 15 minutes after the flight has left the gate. That's simply too late. Therefore, over the next two years, we will implement a system that will require the airlines to transmit passenger information in advance of departure. This will give us the time to check passenger names against databases and to coordinate with airlines and foreign authorities to prevent a suspicious person from getting on an airplane before they get on the plane, rather than after the plane leaves the gate. And we have already begun this process of advanced notification for flights that come from the United Kingdom to the United States.

But that only deals with the issue of known terrorists. The other question is, what do we do about the unknown terrorist, the terrorist who we have not yet identified? How do we prevent that person from coming into the United States? Well, there are three things we need to do. We need to get more information. We need to get better, more secure documentation. And we need to use even more our biometric technology. So let me turn to the first, more information.

One of the most valuable tools we can have in identifying the unknown terrorist is actually already in our possession. It's in our fingertips. It's information that is routinely collected by the travel industry when a person makes an airline reservation or buys an airline ticket. They call this passenger name record data, and it includes such basic things as how you paid for the ticket, what your telephone number is, and a little bit about your travel history. By analyzing this kind of information, we can determine if an individual has traveled with a known terrorist, if their ticket was bought by a terrorist

facilitator, if they've been in phone communication with a terrorist. And that is precisely the kind of information we need to have in order to figure out whether there is an unidentified threat getting on an airplane. The information is there.

Now we are working with the Europeans to lift some of the restrictions on our use of that information so we can fully analyze it before people get on airplanes, to prevent the unidentified terrorist from trying to come into this country.

Now, I can tell you from personal eyewitness that this works because after the 9/11 hijacking, when I was the head of the criminal division, in that first 24 hours when we were trying to track who financed and who supported the 19 hijackers who went down with those airplanes, what we did is look at exactly this kind of data. And my plea in this country, and my plea to the Europeans is this: For God's sake, let us do that before the next 9/11, rather afterwards. It's much better to be able to do this kind of detective work to stop an attack, rather than to investigate an attack that has already occurred.

So over the next year, I'm going to be looking forward to working with my European colleagues on building on this kind of information, allowing a full analysis, and still making sure we respect the privacy of those who travel internationally.

A second area we need to look at is more secure documentation. And, again, 9/11 has a very, very vivid lesson for us. All but one of the 9/11 hijackers who carried out the plot five years ago used American identification documents that they had obtained in fraudulent purposes, including drivers' licenses, which enabled them to move freely around the country. And the 9/11 Commission, itself, focused on this use of fraudulent documents as a major vulnerability in our protection against those would come in and impersonate Americans.

The solution is obvious. We have to take the advice of the 9/11 Commission and other experts in developing standard secure identification credentials that give us a high degree of confidence that an individual is not using phoney documents to enter our country or get on airplanes or get into our critical infrastructure.

The good news is we have underway a number of initiatives mandated by Congress that will do exactly that. Under our Western Hemisphere Travel Initiative, we are in the process of developing a secure biometric credential for individuals traveling in the Western Hemisphere. This card is going to be wallet-sized. It's going to contain biometric -- that means fingerprint-type security features -- and it will allow for real-time security checks at our ports of entry.

We're also working with the states to develop standards for a secure driver's license under the congressional Real ID Act. Drivers' licenses are one of the most common forms of identification in this country. There's no reason to facilitate the forging of these documents. We must have clear guidelines for how drivers' licenses are produced, who gets them, and what kind of anti-forgery security features they contain.

Now, all these recommendations have been out there. We are pushing forward on all these initiatives, but there's one obstacle we have to overcome. Five years after 9/11, we're starting to hear some complaints that these measures are going to be too burdensome, or too expensive, or that they're somehow going to transform themselves into a national identification card. And that kind of back-sliding runs directly contrary to

the lessons of 9/11, and directly contrary to the advice that the 9/11 Commission gave and every other expert who has looked at this problem has given.

Secure identification that cannot be forged and cannot be exploited by terrorists is precisely what we need now, just as we needed it five years ago. If we'd had it five years ago, there would not have been a 9/11 -- God help us if we don't take the steps to put into place as soon as we can to prevent another 9/11 from happening.

And then there's a third thing we can do, which would probably be, in my view, the greatest step forward in protecting against the unidentified terrorists. And that is building on the experience we've had with two fingerprint identification into a 10 fingerprint identification system.

What we are going to do starting this fall, for those who want to come to the United States, is at least on their first visit, collect 10 fingerprints -- not just two, but 10. For those of you who are watchers of some of these programs like "CSI," you know the value of latent fingerprints for crime detection, latent prints being what people leave when they touch a piece of glass or even a piece of paper.

I can tell you that latent fingerprints can be equally important as a tool against terror, because with 10 prints taken from all visitors to the U.S., we will be able to run everybody's fingerprints against latent fingerprints that we are collecting all over the world -- in terrorist safe houses, off of bomb fragments the terrorists build, or at battlefields where terrorists wage war.

What that means is, we will be able to check visitors not only against the known list of names that we have, but against their fingerprints picked up anywhere the terrorists have operated internationally. That will give us a real capability to locate the unidentified terrorist before he or she enters the country.

And by the way, it also has a magnificent deterrent effect, because when we get this in place, every single terrorist who has ever been in a safe house or a training camp or built a bomb is going to have to ask himself or herself this question if they're going to come in the U.S.: Have I ever left a fingerprint anywhere in the world that's been captured? Because they will know that if they have, we will match that fingerprint against their 10 prints when they come into the country, and we will be able to apprehend them.

So to promote this vision of a real biometric security net around this country, this year, the State Department will begin to deploy new 10 print fingerprint reading devices at U.S. visa issuing posts overseas. And by the end of 2008, we will have not only deployed these readers overseas, where visas are issued, but we will have deployed them at our ports of entry so we can capture fingerprints from everybody who wants to visit the United States.

Now let me talk about what we've done since 9/11 to monitor the cargo that's entered our country and to prevent bad things from getting in. Again, five years ago, we've screened very few cargo containers entering our ports for the risk of terrorism. We didn't have the ability to screen any of it overseas, and we didn't have scanning equipment that would test containers for radiation.

Without these tools, we had very little ability to stop someone from smuggling radioactive devices or other dangerous implements through our maritime trade system. But, again, five years later, this has dramatically changed. Through our National Targeting Center at Customs and Border Protection at DHS, every shipping container that enters the U.S. from overseas is analyzed for risk, and the high-risk containers are targeted for inspection.

Moreover, under our Container Security Initiative, U.S. officials are now stationed overseas at more than 40 ports and are screening 80 percent of the cargo bound for the U.S. before it even gets on the ship that's crossing the ocean. And by the end of this year, those inspectors will be in a position to screen 90 percent of that cargo.

In addition, focused as we are on the particular danger of radioactive material, we have deployed hundreds of radiation detection monitors and thousands of hand-held radiation detection devices to protect against radiological and nuclear threats. As a result of this massive devotion of resources to the issue of radiation detection, by the end of this year, we will be screening 80 percent of maritime cargo containers arriving at U.S. ports for radioactive emissions. And we're also working with almost 6,000 companies who have voluntarily taken additional steps to enhance security when they ship into this country using their supply chains.

Standing back and looking at what we've done over the years, here is a remarkable number often not reported in the media. If you look at the budget from fiscal year 2003 through the current budget proposal in Congress for 2007, you will see that this administration has provided for nearly \$10 billion in port security -- that's billion with a "b" -- and that includes the resources and manpower devoted by the United States Coast Guard, by Customs and Border Protection, and the research and development efforts of our Domestic Nuclear Detection Office.

These actions have not only significantly increased the security against bad stuff coming in the country through our seaports, but we have been able to do so without sacrificing the free flow of commerce and trade that is essential to maintaining our economy.

So now this is where we are. What do we have yet to do? First we are going to complete to process of deploying radiation portal monitors to all of our ports of entry at sea and on land by the end of next year. And we will screen essentially 100 percent of cargo coming through those land and sea ports of entry for radiation by the end of next year.

We're also going to move overseas and continue to push to do as much of the screening as we can in foreign ports working with our foreign partners. Our goal, again, in the next two years, working with the private sector and our international partners, is to create an integrated system for scanning and imaging containers for radiation in multiple overseas ports, so that even before containers get on ships, we can have a high confidence level that they do not pose a threat to the United States.

Additionally, in order to expand the protection that we are able to put into place with respect to the vast amount of cargo that moves around the world, we are increasing the extent and depth of information that we're accumulating about the movement of cargo

so we can have an even more detailed and precise picture of those containers that we need to physically open and inspect.

And the point in doing all of this -- bearing in mind, again, that bin Laden's objective is to destroy our economy -- the point of doing all of this is to do it in a way that actually furthers our economy, that actually increases international trade, that pursues the dual goals of security and prosperity in a way that advances both, without compromising either.

Now, Congress has a role to play in this, too. And as I speak to you today there is on the floor of the Senate legislation that the House has passed to increase the efforts we made in port security. As we stand in the shadow of the 5th anniversary of 9/11, I urge Congress to complete its work on this port security legislation this month. That would be not only a fitting tribute to the 5th anniversary, but would be an important set of tools that we can use in achieving the goal we have set for ourselves over the next couple years.

Finally, let me talk a little bit about the interior -- because although we want to protect our border, we recognize that particularly radioactive material can even be accumulated here in the United States, itself. So, therefore, we have a more ambitious goal than merely protecting the border. We want to protect the heartland and the cities in our country, as well.

Therefore, by the end of 2008, we will complete the first phase of what we call a Securing the Cities Program. That is a program -- and we're going to start in New York City -- that will conduct nuclear and radiological scanning on the principal pathways into the city, whether they be overland, in the water, or underground. And we also intend to provide grants to two additional cities to purchase operational screening systems for radiation detection.

These tools will allow us to build not only a layer of protection against weapons of mass destruction at the perimeter of the country, but it will allow us to build a second layer around our major cities for an added measure of protection.

Now, let me turn to protecting our infrastructure. We know that the vast majority of critical infrastructure in our country is owned and maintained in private hands, and the government, of course, cannot by itself protect these critical assets and key resources. The way to do this is to work in partnership with federal and state and local officials, and with those private-sector folks who actually own the things we're trying to protect.

What have we done? Well, let's start with the aviation system. As was all too terribly demonstrated five years ago, before September 11th, we did not have secure cockpit doors. We did not have a federalized, efficient screener workforce at the airports, trained to detect bomb components and detonation devices. We did not have thousands of federal air marshals on aircraft protecting travelers every day all over the world. We didn't have armed flight deck officers authorized and trained to defend the cockpit. We didn't have 100 percent screening of all passenger baggage. And we didn't have thousands of explosive detection machines scanning passengers and baggage at airports nationwide. All of these layers of security are now in effect. And

they now create a protective network -- a fabric of security that keeps hundreds of thousands of air travelers safe and secure every day.

Now, to be sure, there's more to do. The enemy constantly adapts his tactics and his methods. And we have to keep pace and get ahead of those. But we have succeeded in laying over the last five years a solid foundation for the future of our aviation security efforts for the five years and the 10 years to come.

But of course we can't confine our efforts only to aviation. So since September 11th, we've looked at all of the fixed critical infrastructure in this country. We've performed thousands of vulnerability assessments and reviewed thousands of security plans with the private owners of infrastructure all across the country, including transportation assets, seaports, and chemical facilities.

We've also established new ways of information sharing with the private sector to warn them about threats and give them advice on how to increase the measure of protection for their facilities. We've completed a national infrastructure protection plan, and by the end of this year, we will have completed specific plans for each of the major sectors of our national economy.

In the area of rail and mass transit -- and we're certainly vividly aware of the threat there, as we look at attacks overseas in Madrid and London -- in the area of rail and mass transit, we've invested in new technology. We have bio-detection sensors in many cities that sample the air to determine whether someone is trying to put a biological or chemical agent into a mass transit system or elsewhere in a city. We're funding sensors and video cameras. And we're building the capability to surge law enforcement when there is an emergency, including the old-fashioned, low-tech method of using bomb detection dogs. In all, we have provided more than \$1.1 billion in risk-based grants that are specifically targeted to mass transit and other kinds of transportation systems.

But again looking forward, we have more to do. And one area is the challenge that we face in developing a risk-based regulatory structure for our nation's chemical plants and facilities. One of the lessons of 9/11 is the intent of the enemy to turn our own technology against us. Five years ago, what the enemy did was they took our airplanes and they fashioned them into deadly missiles.

Well, we know that at least some chemical plants in high populated areas could also be transformed into deadly agents to wreak destruction on our populace. Now, since 9/11, most chemical companies have recognized that threat, and they've been good corporate citizens. They have voluntarily taken steps to improve their security and make sure their operations and facilities are safe.

But not every company has acted responsibly, and those few companies that don't do the right thing put everybody at risk. Therefore, we must develop a balanced, common-sense approach for protecting the full range of chemical facilities all across this country. And we have to protect their surrounding communities, and we have to do it in a way that doesn't destroy, of course, the businesses, themselves.

In order to do that, the Department of Homeland Security must have the authority to set standards, develop the risk categories for different kinds of facilities, check and validate

security measures, and, most important, insist on compliance with those security measures.

That is why, today, to give us this critically needed authority, I want to urge Congress to pass chemical security legislation that is currently, again, before it. If Congress passes that legislation this month, we will implement it promptly through regulations that will raise the security for Americans all over this country.

The fourth area I want to touch on briefly is intelligence, because the best way to protect ourselves is to stop something before it happens. And there's been a painstaking review of all of the intelligence failures that led up to September 11th. But the good news here is that under the President's strong leadership, we have succeeded in integrating and unifying intelligence collection and analysis across all of the different elements of the national intelligence community.

At my own department, the Department of Homeland Security, we now have a strengthened and unified intelligence office led by a legendary intelligence official. And through our Homeland Security Information Network, thousands of state and local participants share information everyday on threats and incidents within their communities. But we can do more.

We need to build deeper partnerships with our state and local officials to make sure that we're not only tracking the high visibility international threats, but looking at the low visibility homegrown threats which could take root in any community in the country. And there the first line of intelligence collection lies with your local responders and your local law enforcement, because they will often be the first to get a sense that a homegrown threat is beginning to bud.

Therefore, we're going to expand our partnerships by substantially increasing our federal participation in state and local fusion centers all across our country. DHS has sent intelligence personnel to work side by side with their state and local counterparts at intelligence fusion centers in New York, California, Louisiana, and Maryland. Our goal is to have a two-way flow where federal, state, and local officials contribute and analyze and make use of intelligence information collected at every level.

By the end of 2008, we will have intelligence and operations personnel at every major fusion center in the United States. They will be sitting in the same room with their local counterparts, they will be sharing and analyzing information with their local counterparts, and they will be taking steps to protect the country in real time.

Finally, what do we do if there is an attack, if, has against all the measures we've taken, someone does succeed in carrying out a terrorist attack in this country? And we all know that life is not without risk, and the possibility of such an attack remains very real.

Well, we have to be prepared to respond to such attacks in a way that will minimize the damage and effectively aid those who need assistance as quickly and efficiently as possible. Over the past year, we have, therefore, retooled and refashioned the Federal Emergency Management Agency, which would be the principal means at the federal level to assist state and local responders if there were a need to respond to an emergency, whether it be a terrorist attack or natural disaster.

We have given FEMA new and experienced leadership, leadership that has literally decades of hands-on work experience dealing with disasters, that is now bringing that experience to bear at the highest level. We have given FEMA enhanced, real-time tracking capabilities for emergency supplies. We've given them new communications systems that would survive the possibility of a disaster.

We have now identified and put into the field experienced federal leadership to work with regional counterparts, particularly in high risk parts of the country, so that when an event occurs that requires a response, the federal, state and local responders will have trained together and exercised together. We never again want to have a circumstance where federal, state and local responders meet each other for the first time during an ongoing, catastrophic event.

And to respond to the possibility of a no-notice or short-notice event, we've worked very hard in the last year, with our own operational agencies -- like the Coast Guard, and TSA, and the air marshals -- and with other agencies, like the Department of Defense, to create pre-positioned and pre-structured force packages that we could rapidly deploy to an incident or a disaster zone to provide an immediate capability to assist those who have needs and to secure an area against disorder or disruption.

But here, again, we still have more work to do. One area in particular that requires continued action is the area of interoperable communications. Again, looking back five years, we remember the sad story of firefighters and police who entered the burning World Trade Center and were unable to communicate with each other at any level. That cost lives, and that was unacceptable. We cannot let that happen again.

Therefore, we have put considerable effort and hundreds of millions of dollars into developing communications interoperability at the command level. We have achieved this in 10 of the highest threat cities through our RapidCom program. And we provided a total of \$2.1 billion to states and localities since 2003 for interoperable communications equipment, planning, training, and exercises.

As we sit here today, five years after 9/11, we have the technology that allows interoperable communications, that allows different jurisdictions and different agencies to talk with one another even if they don't yet have the same frequencies on their radios. But that doesn't mean we've done everything we need to do. We need new technology to get to the next generation, and we also have to assess whether we have fully deployed this equipment and trained ourselves to use it in a way that would stand up if there were a real test.

So this year we initiated a National Interoperability Survey to take a hard look at the communications interoperability among our law enforcement, fire, and emergency medical service responders in all 50 states and the District of Columbia. Using this survey, as well as a survey that's going to be looking at interoperability in 75 urban areas, we're going to take a critical eye and say, here's what's been done, but here's what remains to be done.

And I will tell you in a very straightforward way, the obstacle here is not technological; we have the technology. The obstacle is that we need to build procedures across

governments and among agencies where we have agreement about what the rules of the road are going to be.

This is something the federal government can lead. It is something the federal government can make recommendations about. It is something the federal government can test. But in the end, the decision for these jurisdictions and these agencies to come together and work together is one they, themselves, have to make. And we are going to be encouraging and putting a spotlight on this over the next year, because it's very important we complete the job of making this technology work in real life in emergency circumstances.

Five years ago, on what still, with some irony, seems to have been a remarkably beautiful, clear morning, men and women went to work in the World Trade Center, the Pentagon; they got on airplanes leaving from airports in the northeast, and they looked forward to what, I imagine, they expected would be a beautiful day. Those people never got to see the sun set.

And the victims of 9/11 are not only those who perished, but the mothers, fathers, sisters, and brothers, like all of us here. Many of you, like me, probably lost someone that you were friendly with or even a family member on 9/11. Many of you have memories of the Pentagon or of the World Trade Center that resonate in your mind when you go back and you see the site of these attacks.

And we're reminded when we do go back and visit Ground Zero or look at the Pentagon of the dreams that perished, the plans that were never brought to fruition, and the lives that were snuffed out. If we ever needed a reminder, taking a moment on September 11th will be a very vivid reminder of the fact that this nation is still at war.

Just in the last couple of days, bin Laden has released another video celebrating what he views as his accomplishment in murdering innocent people. An ideology that celebrates the murder of the innocent is an indecent ideology, and those who worship at its altar are an enemy that we cannot walk away from.

This is a struggle that will be with us in years to come, and it is a struggle that we will win as long as we remain steadfast, dedicated, and balanced in the approach that we take. Over the last three years, the people that I am privileged to work with at the Department of Homeland Security have built an agency whose only mission is to protect the American people and to protect the homeland.

For the 185,000 men and women who I serve with, this is a mission that we proudly undertake every single day, whether it's patrolling the border, taking to the skies in helicopters over our oceans, or patrolling in boats or in subway stations all over the country. I turn to them and I turn to you and say, we can win this struggle, and we can do it in a way that will preserve the values and the freedom and the way of life that we cherish, but we can only do it if we remember that the greatest strength is the spirit that we bring.

If we recognize that the only people who can defeat us are ourselves, and as long as we remember the bond that ties us together, the importance of what we do, the faith that we cherish -- if we remember that, we will succeed in this mission.

I hope that five years from now the only attack that people have to remember in this country remains that first attack on September 11th. And I tell you, on behalf of the people of the Department of Homeland Security, that all of us will work tirelessly every single day and night to do everything we can to try to make sure that that dream remains true.

Thank you very much.

CONGRESSIONAL BRIEFINGS ON CRITICAL ISSUES

Rep. Bart Stupak, Co-Chair, Northern Border Caucus of the U.S. House of Representatives

- the Northern Border Caucus of the U.S. House of Representatives, which was formed in 1994 in response to the North American Free Trade Agreement, has 55 members
- Canada is the largest trading partner for the United States, and our countries share a number of goals, including a strengthened and cooperative approach to security while facilitating trade
- at present, the first priority of the Northern Border Caucus is the Western Hemisphere Travel Initiative (WHTI)
- the U.S. Senate and the U.S. House of Representatives have different proposals for “fixing” the WHTI, as shown in the chart in Appendix A
- many believe that the U.S. Department of Homeland Security will not be able to meet the land implementation deadline
- President Bush needs to push for either a delay to, or reform of, the WHTI; passive support is not enough
- the federal government should not attempt to make changes without allocating sufficient resources
- the political reality is that some Members of Congress believe that the shared border is not secure

Mike Neal, Office of Rep. John Sweeney, Co-Chair, Northern Border Caucus of the U.S. House of Representatives

- it is possible to secure the Canada-U.S. border without impeding trade and tourism
- regarding the Western Hemisphere Travel Initiative, the appropriations bill for the U.S. Department of Homeland Security is likely to pass U.S. Congress in September 2006; this bill is the best chance for a delay

Rep. Tom Reynolds, U.S. House of Representatives

- Canada and the United States are important partners in trade and in tourism; we have an incentive to “do the bilateral relationship right”
- there is somewhat of a turf war going on between the U.S. Departments of Homeland Security and State in terms of working out a solution to the Western Hemisphere Travel Initiative (WHTI)
- after the terrorist attacks of 11 September 2001, there was some hope for a North American common border, but it did not happen, perhaps because of immigration policy differences between the United States and Canada
- there should be three types of lanes – NEXUS, PASS and impromptu – and three principles should be borne in mind regarding documentation to be presented at the border – simple, economical and accessible
- a delay, and practical solutions, are needed to the WHTI

Rep. Louise Slaughter, U.S. House of Representatives

- there may be a border problem in the United States, but the Canada-U.S. border is not the problem
- NEXUS is a great initiative, but there are problems – including cost and accessibility – that U.S. Congressional legislative initiatives – including the Secure Traveller Improvement Act – are designed to address
- border delays would be reduced immeasurably if daily and twice-daily border-crossers would use NEXUS
- service should be provided by U.S. Food and Drug Administration inspectors 24 hours per day, 7 days per week, since trade is 24/7
- regarding the recent U.S. Department of Agriculture Animal and Plant Health Inspection Service announcement about inspections and fees, the U.S. Customs and Border Protection employees at the border must not be fee collectors
- an economic impact study of the Western Hemisphere Travel Initiative (WHTI) is needed
- the U.S. Department of Homeland Security needs time, more direction and financial resources in order to implement the WHTI according to the legislated timeline for land border crossings
- the consequences of not implementing the WHTI properly are dire

CANADA-US RELATIONS – INTER-PARLIAMENTARY GROUP CONCERNS

Senator Jerry Grafstein, Co-Chair, Canada-United States Inter-Parliamentary Group

- the shared border is counterproductive; it leads to higher costs for producers, which may result in higher prices for consumers
- we need to ensure that North American businesses are as productive as possible, and the shared border is an essential element affecting North American productivity
- the Western Hemisphere Travel Initiative is a key issue for Canada, and members of the Canada-United States Inter-Parliamentary Group are interacting with federal and state legislators, as well as Governors, throughout the United States; the need for a delay is recognized by many
- the Canada-United States Inter-Parliamentary Group has had success in the past, perhaps most notably with respect to lobbying efforts regarding immigration and softwood lumber issues

Rob Merrifield, M.P., Co-Chair, Canada-United States Inter-Parliamentary Group

- Canada and the United States are two sovereign nations that have many integrated industries; on occasion, we behave like “scrapping” brothers
- during World War II, European nations fought each other but are now united; the opposite seems to be the case for Canada and the United States, as we “build walls”, impose restrictions, etc.
- while irritants are inevitable, the key is resolving them in a mutually satisfactory manner
- a U.S. Congressional decision to delay the land implementation date for the Western Hemisphere Travel Initiative (WHTI) is needed; while the WHTI may be “right” in the long run, we must take the time now to “get it right”
- cross-border economic regions are important for our future prosperity, and models like the Pacific NorthWest Economic Region should be replicated along the 49th parallel
- regarding the extension of the US-VISIT requirements to some Canadians and the recent announcement by the U.S. Department of Agriculture Animal and Plant Health Inspection Service regarding inspections and fees, it is important to recognize that these types of changes send a message and that the walls between Canada and the United States are getting higher, rather than shorter

Respectfully submitted,

Hon. Jerahmiel Grafstein, Senator
Co-Chair, Canadian Section
Canada-United States Inter-
Parliamentary Group

Rob Merrifield, M.P.
Co-Chair, Canadian Section
Canada-United States Inter-
Parliamentary Group

APPENDIX A

Chart Provided by Rep. Bart Stupak, U.S. House of Representatives

WHTI Reform Bills: Side-By-Side

Office of Congressman Bart Stupak (MI-01)

As of 9/06	PACT Act (Slaughter-McHugh)	Leahy/Stevens Amendment (Attached to HS and CJS Bills)	Coleman Amendment/ (Attached to Immigration Bill)
New Deadline	September 15 th , 2009	June 1, 2009, OR 3 mos. after State and DHS certify that the system is ready to be used, <u>whichever is earlier.</u>	June 1, 2009, OR 3 mos. after State and DHS certify that the system is ready to be used, <u>whichever is later.</u>
State Drivers' Licenses as Alternate ID	Requires a report to Congress on the feasibility of using REAL-ID compliant licenses as an alternate ID.	No Provision	Creates <u>at least</u> one state pilot program to include citizenship on a drivers' license and use that license as an alternate ID
Rapid Issuance	Card must be issued within 10 days.	No Provision	Cards must be issued, on average, within four weeks or within the same period of time required to issue a passport.
Cost of Card	Card must cost less than \$20.	Cost must be justified to Congress before implementation occurs.	Card must cost less than \$24, unless the Secretary certifies to Congress that \$24 is impractical, in which case \$34.
Travel by Children	No card required for citizens under 16 when returning from Canada.	DHS must devise an "alternate procedure" for groups of children traveling with under supervision	No fee for issuance of Passport Card to minors. Requirements may be waived for groups of 6 or more, provided parental consent can be

		and with parental consent.	demonstrated.
Day Pass	A process shall be developed to permit Americans lacking documents to re-enter the U.S., but no "day pass" provision.	No Provision	Secretary shall issue "day passes" for those without cards for up to 72 hours, for no additional fee.
Reciprocity with Foreign Documents	Secretary shall work with foreign governments to ensure that their citizens possess appropriate documents to enter U.S. by September 15, 2009	Technology must be shared with governments of Canada and Mexico.	Any certified, REAL-ID compliant document showing Canadian citizenship shall allow entry to the United States.
Existing Expedited-Traveler Systems (FAST, SENTRI, NEXUS)	New Passport Cards will use a technology which can also accommodate NEXUS. Existing expedited-traveler systems will be merged together. NEXUS technology shall be added at six (6) northern border crossings, including Sault Ste. Marie	Implementation must "seek to expedite the travel of frequent travelers," and "make readily available" a registered traveler program (such as NEXUS)	New Passport Cards will use a technology which can also accommodate NEXUS, if practical. Government shall equip at least 6 additional northern border crossings with NEXUS.
Consolidated Background Check System	Secretary shall establish a secure, consolidated background check system, and report to Congress.	No provision beyond compliance with 2004 Intelligence Reform bill.	No provision beyond compliance with 2004 Intelligence Reform bill.

<p>Cost-Benefit Study</p>	<p>DHS may not publish a Notice of Proposed Rulemaking until they have performed a cost-benefit analysis, treating WHTI as a “significant regulatory action,” and assessing economic, political, and regulatory costs and benefits.</p>	<p>No Provision</p>	<p>No Provision</p>
<p>Other Requirements Prior To Implementation</p>	<p>No Provision</p>	<p>1.) Technology must comply with ISO 14443 (short-range RFID card reader), unless DHS and State justify the use of another technology to Congress.</p> <p>2.) Infrastructure is in place, and border agents have been properly trained.</p> <p>3.) The PASS card is available to travelers.</p>	<p>WHTI may not be implemented until 3 months after the Secretary certifies:</p> <p>Passport cards have been distributed to 90% of those requesting them.</p> <p>Passport cards are being issued in timely manner.</p> <p>A pilot has demonstrated the effectiveness of the Card.</p> <p>Border crossings have sufficient equipment so that traffic will not be substantially slowed.</p> <p>Border agents have been trained appropriately.</p> <p>A public outreach plan has successfully provided info to U.S. citizens.</p>

TRAVEL COSTS

ASSOCIATION	Canada United-States Inter-Parliamentary Group	
ACTIVITY	Meeting of the Canadian/American Border Trade Alliance - The U.S./Canadian Border: A Unified Focus	
DESTINATION	Washington, DC	
DATES	September 10-12, 2006	
SENATORS	Hon. Jerry Grafstein, Senator Hon. Jack Austin, P.C., Q.C, Senator	
MEMBERS	Mr. Rob Merrifield, MP Mr. Gord Brown, MP Mr. Pierre Paquette, MP	
STAFF	Ms. June Dewetering, Advisor Mr. Daniel Charbonneau, Executive Secretary	
TRANSPORTATION	\$ 2,269.32	
ACCOMMODATION	\$ 3,485.15	
HOSPITALITY	\$ 0	
PER DIEMS	\$ 760.93	
OFFICIAL GIFTS	\$ 0	
MISCELLANEOUS/REGISTRATION FEES	MISCELLANEOUS	\$ 53.89
	REGISTRATION FEES	\$ 3,462.01
TOTAL	\$ 10,031.30	