

Testimony

United States Senate Committee on the Judiciary

Interrupting Terrorist Travel: Strengthening the Security of International Travel Documents

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REGARDING A HEARING ON "INTERRUPTING TERRORIST TRAVEL: STRENGTHENING THE SECURITY OF INTERNATIONAL TRAVEL DOCUMENTS" BEFORE THE SENATE COMMITTEE ON THE JUDICIARY SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND HOMELAND SECURITY ON WEDNESDAY, MAY 2, 2007 AT 10:00 AM
226 DIRKSEN SENATE OFFICE BUILDING
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Good morning Chairwoman Feinstein, Ranking Member Kyl, distinguished Members of the Subcommittee; I am pleased to be here today to discuss strengthening the security of international travel documents to prevent terrorist travel. The U.S. Immigration and Customs Enforcement (ICE) Forensic Document Laboratory (FDL) is dedicated exclusively to fraudulent document detection and deterrence. The FDL is accredited by the American Society of Crime Laboratory Directors - Laboratory Accreditation Board (ASCLD/LAB) in questioned documents and latent prints. The FDL's mission is to detect and deter travel and identity document fraud in support of efforts to combat terrorism, alien smuggling, and other criminal and administrative violations. We provide a wide variety of forensic and support services to all Department of Homeland Security (DHS) components, including ICE, U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), the United States Secret Service (USSS), and the United States Coast Guard (USCG). The FDL also supports other federal, state, and local agencies, as well as foreign government law enforcement and border control entities, including the Department of Justice (DOJ), Department of State (DOS), Department of Defense (OIG), the Federal Bureau of Investigation (FBI) and Diplomatic Security Service (DSS). The FDL is an integral part of a comprehensive approach to disrupting terrorist travel and works both domestically and internationally to strengthen the security of international travel documents.

The FDL is like other forensic laboratories in that it has a cadre of highly trained and experienced forensic scientists and support staff who conduct forensic examinations. These FDL employees make up the Forensic Section of the FDL and include Forensic Document Examiners, Physical Scientists (Ink Chemists), Fingerprint Specialists, Forensic Photographers, and Seized Property Specialists.

Forensic Document Examiners conduct examinations of documents to determine the authenticity of the document. If the document is deemed to be fraudulent, the examiner will determine the type of fraud, i.e., whether the document is counterfeit, has been altered, or was fraudulently obtained, and prepares a report outlining the findings. Physical Scientists (Ink Chemists) assist the Forensic Document Examiners determine the authenticity of a document by analyzing the inks used in the document. This is necessary today given the prominence of documents produced with inkjet and laser technology.

Fingerprint Examiners use the latest techniques and technologies to lift latent fingerprints from documents, document production equipment, wrappings, weapons, and other recovered material submitted to the laboratory. Using various Automated Fingerprint Identification Systems (AFIS), examiners attempt to

identify individuals relevant to the investigation and then link these individuals to evidence in the case. The FDL also has a team of Forensic Photographers who assist all FDL staff with expert photographic services. These services include capturing images of documents and other evidence under various forms of light, providing photographs and graphics for reports, and preparing court exhibits.

The Seized Property Specialists handle all of the evidence flowing in and out of the FDL each day. The FDL processes over 5,000 submissions each year. Each submission can include any number of evidence items. The proper handling and processing of evidence is of paramount importance to any forensic laboratory.

All of these employees are experts in their field and routinely testify as expert witnesses in criminal and administrative proceedings arising from ICE and other federal, state, local, and tribal agency investigations.

The training requirements for these positions are rigorous. As an example, prior to conducting their first examination on their own, Forensic Document Examiners must successfully complete an in-house 30-month training program (24 months of training followed by a six-month apprenticeship) that includes instruction on all facets of document examination, printing processes, security features, wet and dry seals, typewriter examinations, and handwriting analysis. This comprehensive training is necessary to acquire and maintain laboratory accreditation and personnel certification. The FDL- provided training is in addition to the requirement of a Bachelor's degree. Many of the FDL Forensic Document Examiners also have Master's Degrees in Forensic Science and have obtained or are in the process of obtaining independent board certifications. The primary responsibility of the Forensic Document Examiners is to conduct examinations of fraudulent travel and identity documents submitted to the FDL. These documents are typically seized from individuals attempting to enter or remain in the United States illegally, or from fraudulent document production operations.

The FDL differs from most forensic laboratories in that it has a separate group of employees who collect and analyze information developed by the Forensic Section about particular fraudulent documents and distribute that information to the field via training, real-time support, and publications. These employees are Senior Intelligence Officers and they make up the Operations Section of the FDL. Many of the Senior Intelligence Officers working at the FDL have previously worked at large ports of entry and have extensive experience with international travelers and the documents they use.

As stated above, the FDL provides support to many DHS agencies and other federal, state, local, tribal, and foreign law enforcement and border control agencies. This support includes not only conducting forensic examinations on material submitted to the laboratory, but also providing real-time support, providing training in fraudulent document detection and recognition, and developing and distributing numerous informational publications related to fraudulent documents, such as Document Alerts, Intelligence Briefs, and Reference Guides.

Real-time support is provided 24 hours a day, 365 days a year to assist all federal, state, and local law enforcement officers with questioned documents. Senior Intelligence Officers are on-site from 7:00 am until 7:30 pm on each workday. These officers are also on-call after-hours and on weekends with secure access to FDL systems and databases necessary to provide support. Real-time support is also provided to personnel that may have questions concerning travel and identity documents, including Department of State Consular Offices which adjudicate visa requests, and USCIS personnel who adjudicate requests for immigration-related benefits. In fiscal year 2006, the FDL received over 5,200 intelligence inquiries of which more than 2,400 were from non-DHS agencies.

Document Alerts, Intelligence Briefs, and Reference Guides are produced, printed, and distributed to more than 800 law enforcement and border control agencies worldwide to assist officers in identifying fraudulent documents in circulation. Many of these publications are also posted on various DHS Internet portals to make them available to as many agencies as possible. All of these publications are high-quality products with descriptive text and detailed graphics. The publications are designed to convey the information in a clear and concise manner, which allows the front line officer to absorb the information quickly and retain that information for use in the field.

Senior Intelligence Officers also design and provide fraudulent document recognition and detection training programs for DHS personnel and other federal, state, local and foreign law enforcement officers. This fiscal year alone, the FDL has trained more than 1,900 individuals in locations all over the world, including the United States, South Africa, El Salvador, Botswana, Jordan, Trinidad & Tobago, Kenya, Turkey, and Yemen. Of the individuals trained this year, over 200 were from CBP. The FDL also receives requests for training from state and local law enforcement agencies and from private concerns. The FDL has responded to these requests. To meet the increasing demand for these services, the FDL created "Train-the-Trainer" classes. These classes enable FDL to train persons in other agencies who then conduct fraudulent document recognition training with FDL support. The "Train-the-Trainer" program permits the FDL to expand the number of fraudulent document recognition training classes conducted each year.

The co-location of the Forensic Section and the Operations Section at the FDL allows ICE to attack the problem of fraudulent documents in a coordinated manner and provide the necessary services to the field from a central and highly specialized facility.

Document producers and those who issue legitimate documents are in a constant battle to develop new production methods and security features to make the identification documents they issue more secure. DHS has revised and updated many of the documents associated with the immigration process. The Department of State has recently introduced a new version of the U.S. passport that includes security features intended to thwart those who would counterfeit or alter the document. However, technological advances that have made commercial-quality scanning and printing widely available have significantly increased the quality of fraudulent documents. The purveyors of fraudulent documents make full use of commercially available scanning and printing technology to manufacture better fraudulent documents, including not only hardware, but also high-quality graphic software that includes advanced techniques such as layering. Digital printing technology has been used in the majority of the fraudulent documents examined by the FDL. Sophisticated computers, software, digital scanners, and color inkjet or laser printing equipment are now routinely recovered when fraudulent document operations are discovered in the United States and overseas. For example, many of the altered passports and identity documents encountered by U.S. Forces in Iraq incorporated digitally printed components. As high-quality scanning and printing equipment become less expensive and more readily available, digitally produced fraudulent documents become more difficult to detect.

This problem is further complicated by the increased use of digital printing technologies to create genuine identification documents. Genuine document-issuing authorities often select digital printing technologies to create or personalize genuine documents because they are less expensive than traditional methods such as offset or intaglio printing. The lower costs allow the process to be deployed to the field, rather than necessitating reliance on production centers. The result is that digitally printed fraudulent documents can be more difficult to detect by officials responsible for examining documents, such as ICE special agents, Border Patrol agents in the field, CBP officers at ports of entry, or airline security personnel overseas.

The marriage of digital technology and traditional printing methods can create fraudulent documents that are very difficult to detect. However, by incorporating security features that are specially designed to

thwart reproduction by scanners or other digital equipment, such as holograms, kinograms, specialized inks, laser etching, and new security printing techniques, documents can be made more tamper-resistant. Many of these security features cannot be duplicated easily by commercially available computer equipment and therefore make documents more secure. The development and distribution of quality documents will be expensive, as it will require replacing old document production systems and infrastructure; however, the investment will pay healthy dividends in security.

There are many reasons for the proliferation of fraudulent documents. ICE typically sees false documents being used by illegal aliens who live and work in the United States. However, foreign nationals who seek to enter the United States and cause harm to our Nation represent another market for fraudulent documents. The quality of fraudulent documents used for international travel must be better than domestic fraudulent documents because they will be shown to people who routinely examine travel and identity documents. CBP officers inspect the documents of passengers arriving by air or sea, as well as those attempting to enter over land. Last fiscal year, CBP inspected more than 422 million people coming to the United States. In many cases, illegal migrants, criminals, and even terrorists have tried to blend in with returning citizens, legal residents, and lawful visitors by using fraudulent documents.

In January 2005, CBP created the Fraudulent Document Analysis Unit (FDAU) to collect documents, provide ports with analysis of document trends and intelligence information, and target persons being smuggled into the United States using fraudulent documents. The ICE FDL is an accredited forensic laboratory, which provides scientific examination of questioned documents, maintains a document reference library, and provides support for field investigations. CBP works cooperatively with ICE to provide training to CBP Officers and to conduct special operations targeting travel documents in various CBP venues.

As discussed above, the problem of fraudulent documents is a perplexing one. The availability of technology to create high-quality fraudulent documents demands that the issuers of valid documents develop and use new security features and production techniques that cannot be easily duplicated. Many new security features and production techniques have been developed; unfortunately, they are not being used in many travel and identity documents issued in the United States. Recently, we have seen an emphasis on deploying electronic systems to validate documents. While the FDL supports these programs as an additional security feature, we believe these systems cannot take priority over the continued development of more secure travel and identification documents. Electronic validation systems will not always be available to the field officers, employers, or others who may need to verify a document's authenticity. When these systems are not available, the verifier of the document must be able to rely solely on the document. High-quality secure documents will stand on their own and increase the overall security of our document-based systems.

To assist in the development of high-quality secure documents, the FDL provides Counterfeit Deterrence Studies as a service to assist entities in designing new travel and identity documents. These studies are conducted by FDL teams consisting of Forensic Document Examiners and Senior Intelligence Officers. The teams recommend document designs that incorporate security features to make them more resistant to fraud.

It is important to understand that fraudulent travel and identity documents are not only a challenging problem for the United States, but for law enforcement officials throughout the world as well. As long as identification is required to travel and obtain goods or services, criminals will attempt to produce fraudulent documents. The ICE FDL will work diligently to combat the production and use of fraudulent documents through our efforts in document examination, the development of higher-quality documents, the training of law enforcement and border control officers throughout the world, the publication of

materials to alert these officers of new fraudulent trends and techniques, and providing real-time support to those responsible for detecting fraudulent documents, and by working hand-in-hand with our colleagues around the world who are engaged with us in the battle against fraudulent documents.

On behalf of the men and women of ICE, and specifically the men and women of the Forensic Document Laboratory, I thank the Subcommittee and its distinguished members for your continued support of our work.

I would be pleased to answer your questions.