

*As Prepared for Delivery*

**REMARKS FOR SECRETARY MICHAEL CHERTOFF  
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**ACKNOWLEDGEMENTS**

- Alan Dukes, Chairman General, Institute of European Affairs

**INTRODUCTION: CONVERGENCE**

- Thank you for that introduction.
- I'm honored and privileged to be addressing the Institute of European Affairs and all of you today. Thank you for inviting me. I want to commend the Institute for the outstanding job it continues to do in a host of vital arenas, including the critical arena of security.
- And let me just say that it's great to be here in Ireland.
- When I read some of the newspapers and other publications here, I feel right at home.
- I've seen some of the same questions raised here as in the Washington Post or other American publications on security-related issues.
- I see a debate on immigration law, replete with discussions about green cards and work permits, asylum and deportation, human trafficking and one-stop shopping and what to do about people who are not here legally.
- For me, it's kind of a déjà vu experience -- and let me just say that I wish you well in resolving these issues in a way that strengthens the security and economy of your country.

## *As Prepared for Delivery*

- I bring this up to make a larger point which will actually be the theme of my speech.
- My point is this: what I see here is what I've seen not only at home but elsewhere in my travels outside of my country.
- Despite some obvious disagreements, I see the unmistakable outlines of an emerging consensus, a convergence in both thought and action not only on both sides of the Atlantic, but increasingly across much of the world.
- Simply stated, what I see is the emergence of a common recognition of the terrorist threat, a common vision for an effective response to that threat, and a common resolve on the part of nations to take specific actions to protect their people from acts of terrorism.
- Yes, of course there are differences among nations and indeed within nations on security matters and some of those differences are profound indeed.
- But what is far more striking is the extent to which our ideas and approaches converge.
- Today, I want to focus on this convergence – and let me begin by talking about the threat posed by those who are sworn to do us harm.

### **THE THREAT WE FACE TODAY**

- Clearly, we, our nations, and our people face a continued threat to our lives and our liberty by the forces and the ideology of terrorism.
- Indeed, over the past decade, Osama bin Laden and his cohorts have plotted numerous strikes not only against nations, but against the entire global system of security, safety and prosperity.
- What drives these terrorists is an ideology that is every bit as fanatical and ruthless as that of totalitarian fascism or communism.
- Spread by a network of cult-like entities that span the world, this ideology sanctifies the slaughter of innocent people; it denies the

## *As Prepared for Delivery*

dignity and the humanity of its opponents; and it includes among those it condemns Muslims who dare to reject its pseudo-religious message of intolerance and bigotry.

- From New York to London, from Madrid to Jerusalem, from Baghdad to Bali, this ideology has torn through nations, carving a bloody trail of death and destruction, leaving orphans and widows in its wake on nearly every continent.
- And not only do the extremists who embrace this ideology violate the sanctity of human life; they seek to destroy human liberty by intimidating free people everywhere into submission.
- And it is quite clear that they are not inviting a dialogue or a new discussion of ideas. In fact, what our enemies want is "the dialogue with bullets and the ideals of assassination, bombing and destruction." These are not my words; they are words I've taken from an al Qaeda training manual.

### **CONVERGENCE ON PRINCIPLES**

- Now this assessment of the threat we face is shared not only by most of us who reside in western democracies, but by people around the world.
- But what about the question of how to combat this threat we face from terrorism?
- Well, here, too, while there are dissenting voices, we are beginning to reach a definitive consensus.
- I believe that a growing number of countries are coming to agree on three important realizations on building a strategy to defend our countries and our people.
- First, to a growing extent, nations are starting to realize that in order to protect themselves, they must be willing not only to operate within their own borders and ports of entry, but beyond them as well.

## *As Prepared for Delivery*

- They must be willing to extend their security perimeters so they can prevent dangerous people from boarding planes in other nations that are bound for their own. Logically, if every nation pushed out its perimeters in this way, that would be a significant step forward in the battle for a safer world.
- Second, while more nations are understanding the need for a security presence beyond their own borders, they're also finding that it is impossible to defend completely at all times and places against any and all threats to their security.
- They are learning that risk elimination is an impossible goal and that the best alternative is a strategy that is governed by risk management.
- And let me add that the very attempt at risk elimination can end up harming the very things we're trying to protect.
- If I tried to eliminate terrorism by shutting down America's ports, that would destroy our commerce, which is exactly what the terrorists were trying to do on their own in the first place.
- And finally, to an increasing extent, nations are coming to realize that they cannot pursue the business of security alone.
- Make no mistake: In the battle for our safety and security, there is no such thing as a Lone Ranger nation. We're all in this together – and that means we must work closely together in a spirit of cooperation and partnership. And let me commend the continued close relationships we have with our European counterparts, as well as our partners throughout the world.

### **CONVERGENCE ON INFORMATION**

- So in short, it bears repeating that we indeed have a growing consensus not only on the nature of the common threat we face, but on a broad strategy of stopping bad individuals from attacking the people and infrastructure of our respective nations.
- But this leads us to a question. In America alone, we welcome each year approximately 420 million travelers– 88 million by air alone.

## *As Prepared for Delivery*

- How in the world do we identify the bad people we're looking for, so we can protect ourselves and all those travelers from the people among them who are clearly dangerous?

### **Intelligent Use of Information**

- A key way is through working with our international partners to obtain relevant information and using it intelligently. Let me give you several examples of how my country has improved its information collection efforts.

### **PNR**

- One example concerns our screening of U.S.-bound passengers. Through obtaining only a few pieces of key information, we can screen millions of travelers each year and prevent people from coming to our nation to launch an attack – or passing through our country to carry out an attack on another country.
- Recently, this approach took a giant step forward with our agreement with the European Union in which the EU agreed to transfer passenger name record or PNR data to our department from air carriers operating transatlantic flights to and from our country. And recently, the EU has also proposed adopting the same approach for flights into EU member states.
- PNR data has already proved itself to be an effective tool for combating terrorism and serious transatlantic crime, allowing us to make critical connections between known threats and associates and identify patterns concerning activity.
- Let me give you an example: In April 2006, at Boston's Logan Airport, Customs and Border Protection (CBP) officers used PNR data to identify two passengers whose travel patterns exhibited high-risk indicators.
- During the secondary interview process, one subject stated that he was traveling to the United States on business for a group that is suspected of having financial ties to Al Qaeda. The examination of his baggage

## *As Prepared for Delivery*

revealed images of armed men, one of which was labeled “Mujahadin.”

- Both passengers were refused admission.
- In June 2003, using PNR data and other analytics, one of our inspectors at Chicago’s O’Hare airport pulled aside an individual for secondary inspection and questioning.
- When the secondary officers weren’t satisfied with his answers, they took his fingerprints and denied him entry to the United States.
- The next time we saw those fingerprints – or at least parts of them – they were on the steering wheel of a suicide vehicle that blew up and killed 132 people in Iraq.

### *Fingerprints*

- In addition to PNR, we’re also moving ahead with our transition to 10-fingerprint program screening for certain foreign travelers at our ports of entry. Currently, under US-VISIT, visitors coming to our country through ports of entry have their two index fingers scanned, and then what we do is electronically compare them against the fingerprints we have in databases from prior entries or their visa records so we can verify their identity and make sure that they’re not known felons or terrorists.
- But there’s a better way to detect dangerous people we have not yet identified, and that’s through taking all 10 prints.
- With 10 prints, we increase our capability to match against latent prints we’re collecting from battle fields, safe houses, and training camps around the world – latent prints that may come from more than just a terrorist’s index finger.
- This is a quantum leap forward in security, enabling us to identify unknown terrorists, while creating a powerful deterrent against any terrorist who would want to come into our country from a battle field, safe house or training camp.

## *As Prepared for Delivery*

- And let me note that US-VISIT has not added to the processing time of individuals at ports of entry but has actually reduced the time it takes to process people entering the United States at some land ports – thanks to the increased use of automated data collection.

### Secure Identification

- Besides PNR and our 10-fingerprint initiative, a third example of how we will use relevant information to detect terrorist threats is by requiring travelers to present secure identification documents through our Western Hemisphere Travel Initiative or WHTI.
- WHI establishes documentation requirements for previously exempt travelers entering the United States. WHTI requirements are the result of key recommendations made by the 9/11 Commission which Congress subsequently passed into law.
- In January of this year, we took the first step to implement WHTI for air ports of entry. U.S. citizens as well as citizens from Canada and Bermuda must now present a passport when they fly into the United States from within the western hemisphere. Compliance rates under this rule have been above 97% since January. People got the message.
- Standardized, secure, and reliable documentation will enable us to quickly, reliably, and accurately identify travelers at ports of entry. Investigators have repeatedly stressed the security risk posed by the approximately 8,000 types of identification now in use. With this many documents, it's been difficult to assess travelers seeking entry without significantly slowing the time it takes to process them. By limiting and standardizing the kinds of documents presented, WHTI will deal squarely with this problem, while enhancing border security.
- Beginning on January 31 of next year, we plan on ending the practice of accepting oral declarations alone at our land and sea ports of entry. At that point, U.S. and Canadian adult citizens will present either a WHTI-compliant document – such as a passport or enhanced driver's license – or a government-issued photo ID and proof of citizenship.
- We expect full implementation of WHTI as early as next summer.

## *As Prepared for Delivery*

### **Convergence on Information Collection**

- Now let me say that there is unfortunately a growing perception that through such programs, the United States is grabbing every available piece of information, acting like Big Brother, and acting alone in this manner on the world scene.
- This perception is clearly at odds with the reality that around the world -- precisely in nations which share our democratic values and traditions, including the value of privacy -- similar identity management programs are emerging.
- The United Kingdom has embarked on a £1.2 billion, seven-year eBorders program to establish an integrated biometric and biographic border management system.
- Ireland recently announced its intent to deploy a similar program in order to ensure the security of the common travel area between the Emerald Isle and the UK.
- The Netherlands, Portugal, Germany, the UK, and Malaysia have all pioneered expedited entry and/or registered traveler programs to allow pre-approved travelers to move quickly through passport control.
- For years, Australia has managed its Electronic Travel Authorization program to facilitate travel while mitigating many of the risks associated with visa-free travel. This successful concept has earned a pivotal spot in the U.S. reform of its Visa Waiver System.
- Japan recently began recording the fingerprints and photographs of all foreign visitors in a manner compatible with the US-VISIT concept.
- Earlier this month, the EU released a proposed requirement for Member States that mirrors U.S. rules for collecting and utilizing PNR in border management processes. This proposal builds on the 2004 Directive on the use of API which has already been successfully implemented by Spain.

## *As Prepared for Delivery*

- All of these initiatives build on existing or emerging practices to prevent fraudulent asylum claims and visa applications through the collection of biometrics.
- An article in the November 24<sup>th</sup> issue of **The Economist** which focused on Japan's actions put it best when it said, and I quote, "All countries are moving towards the collection of 'biometric' information."
- Let me repeat that -- not some countries, not many or even most countries – ALL countries.
- I don't for a moment believe this is accidental. The 9/11 Commission pointed out that travel documents and the ability to travel clandestinely are as important to terrorists as weapons. Altered and counterfeited travel documents are used to hide identity and circumvent security.
- In fact, press reports have revealed that an Iraqi can pay a criminal network 3,000 euros for a fraudulent European passport or 8,000 euros for all the arrangements necessary to get them from Iraq to the United States by traveling through Europe and Latin America.
- This convergence of our ideas and approaches also creates new possibilities for international law enforcement cooperation to combat the illicit travel of terrorists and serious criminals.
- By securing data in a secure environment, particularly biometric data, fraud can be greatly reduced – and what greater privacy violation can there be than the identity theft that can only increase in the absence of strong identity management programs?
- This has been one of the great lessons of the European experience in identity management – for example, the most recent annual report on EURODAC (the consolidated EU database of the fingerprints of asylum seekers) noted that in 17% of all cases the applicant had previously applied for asylum in another EU Member State. Similar opportunities can be found in the transatlantic environment.

**A CHALLENGE TO CONVERGENCE**

- Clearly, then, we see evidence all around of convergence among countries when it comes to dealing with security matters relating to the terrorist threat.
- Every year, American and European cooperation in combating crime and terrorism deepens, as evidenced by the dismantled plots in Germany, Denmark and the UK earlier this year.
- Tomorrow I will meet in Germany with some of my closest international counterparts to discuss how we can build on our continued collaborations and leverage our experiences to further strengthen our security.
- In light of the continued challenges posed by terrorism, including its ability to adapt to our security measures, we must do everything possible to preserve and strengthen this partnership between the United States and the EU – a partnership that won the Cold War, and one that has been remarkably successful thus far in disrupting the plots of our common foes.
- And so as Europe turns its attention towards enacting the EU Reform Treaty, it is my hope that as closer integration is pursued, transatlantic cooperation will not be hindered.
- Looking at this from the perspective of mutual security, I want to be sure that I'm covering all bases by highlighting what I see as potential challenges ahead. One of these challenges involves the pending Framework Decision on the protection of personal data in police and judicial cooperation.
- This near-final law intends to increase the level of confidence EU Member States have in each other when sharing law enforcement data among themselves.
- Now is that an admirable goal? Of course.

## *As Prepared for Delivery*

- But a major part of that Framework would impose new hurdles on European law enforcement when they are working with third countries – including the United States. It would require them to obtain a legal determination that the countries’ privacy protections are “adequate” before sharing law enforcement information.
- Only a handful of countries have been deemed adequate by the EU [Switzerland, Canada, Argentina, the Isle of Man, Guernsey, the Faroe Islands and Jersey]. What this means is that transatlantic data transfers must be subject to detailed and painstaking negotiations.
- While we have different traditions and customs, we are committed to the same goals – protecting our citizens and our countries and ensuring the free flow of ideas, people, and goods and services.
- Recognizing this, last year the U.S and EU created a High Level Contact Group and charged it with finding a way to ensure information sharing can continue while protecting privacy.
- I am hopeful that the EU participants will make it a point to refocus their efforts on concluding a suitable arrangement on this matter even as they are working out the details of the EU integration process. Such an arrangement can only benefit people on both sides of the Atlantic and ultimately throughout the world.

## **CONCLUSION**

- Clearly, we’ve come a very long way in dealing with the terrorist danger that threatens us all. The threat, however, remains – and we owe it to those who depend on us not to grow complacent and fail in our duty to protect them.
- I am hopeful that in the coming months and years, we – the US, the EU, and our partners across the globe – will continue to respond constructively and sensibly to that threat, building on our partnerships so we can create a brighter, better world for us and for generations that will follow.
- Thank you.

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