



Testimony

Before the Committee on Finance
United States Senate

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WEAKNESSES IN SCREENING ENTRANTS INTO THE UNITED STATES

Statement of Robert J. Cramer, Managing Director
Office of Special Investigations



Mr. Chairman and Members of the Committee:

I am here today to discuss the results of our work described in our January 30, 2003, Limited Official Use report to this Committee entitled *Weaknesses in Screening Entrants into the United States* (GAO-03-425R).¹ This work was completed in response to your request that agents of the Office of Special Investigations (OSI) attempt to enter the United States from Canada, Mexico and Jamaica at land, air, and sea ports of entry using fictitious identities and counterfeit identification documents. The purpose was to test whether U. S. government officials conducting inspections at the port of entry would detect the counterfeit identification documents.

I am accompanied this morning by Ronald Malfi, Director for Investigations, and Assistant Director John Cooney.

In summary, we created fictitious driver's licenses and birth certificates using off-the-shelf computer graphic software that is available to any purchaser. In addition, we obtained and carried credit cards in the fictitious names that were used in these tests. Our agents entered the United States from Canada, Mexico, and Jamaica through ports of entry using fictitious names and these counterfeit identification documents. Immigration and Naturalization Service (INS) and U.S. Customs Service officials never questioned the authenticity of the counterfeit documents, and our agents encountered no difficulty entering the country using them. On two occasions, INS officials did not ask for or inspect any identification documents when our agents entered the United States. On another occasion an agent was able to walk across a major border checkpoint and was not stopped or inspected by any government official.

INS regulations require that all persons who arrive at a U.S. port of entry be inspected by a government official. A U.S. citizen traveling inside countries in the Western Hemisphere, such as those we visited for purposes of these tests, is not required to show a passport when entering the United States but is required to prove citizenship. INS accepts as proof of citizenship documents such as a U.S. state or federally issued birth

¹ The Immigration and Naturalization Service designated our report as "Limited Official Use."

certificate or a baptismal record, and photo identification such as a driver's license. However, since the law does not require that U.S. citizens present documents to prove citizenship when entering the United States, INS also permits travelers to establish U.S. citizenship by oral statements alone.

U.S. Border Crossings from Canada

The first border crossing by OSI agents occurred when two of our agents entered the United States through a sea port of entry from Canada. On that occasion, the agents were not asked to show any identification. On a subsequent occasion, two agents, driving a rented car with Canadian plates, using fictitious names and counterfeit documents, crossed the border into the United States at a Canadian land border crossing. A U.S. Customs inspector asked for identification and was provided the counterfeit documents. After the inspector reviewed the documents, the agents were allowed to cross the border.

During the Canadian land border crossing, the agents discovered a further potential security problem. A park straddles the U.S. and Canada at this border crossing. One of our agents was able to walk across this park into the United States from Canada without being stopped or questioned by any U.S. government official. Later that agent walked back to Canada through this park without being inspected by Canadian authorities.

U.S. Border Crossing from Mexico

The second series of border crossings were from Mexico. On one occasion, at a land border crossing, an INS inspector asked our agent if he was a U.S. citizen and whether he had brought anything across the border from Mexico. After the agent responded that he was a U.S. citizen and that he was not bringing anything into the United States from Mexico, the inspector allowed him to proceed without requiring any proof of identity.

On a subsequent occasion at the same border crossing, two of our agents were asked by INS inspectors for identification. Both agents presented counterfeit driver's licenses and were allowed to cross into the United States.

U.S. Border Crossing from Jamaica

The third set of border crossings were from Jamaica. Two of our agents traveling on one-way tickets from Jamaica arrived at an airport in the United States. Each agent presented to INS inspectors counterfeit identification documents. The INS inspectors did not recognize any of the documents presented as counterfeit and allowed the agents to enter the United States.

Conclusion

We recognize that weaknesses in inspection processes for entrants into the United States raise complex issues. We are currently performing an evaluation of those processes pursuant to the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 that will be reported to Congress in the coming months. Although INS inspects millions of people who enter the United States and detects thousands of individuals who attempt to illegally enter the United States each year, the results of our work indicate that (1) people who enter the United States are not always asked to present identification, (2) security to prevent unauthorized persons from entering the United States from Canada is inadequate at the border park we visited, and (3) INS inspectors are not readily capable of detecting counterfeit identification documents. We plan to discuss further with INS options for better training of inspectors in detecting counterfeit documents.

Mr. Chairman, this completes my prepared statement. We will be pleased to respond to any questions you or other members of the Committee may have at this time.

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