



# Comprehensive Exit Plan

September 27, 2013  
Fiscal Year 2013 Report to Congress



Homeland  
Security

*U.S. Customs and Border Protection*

# Message from the Acting Deputy Commissioner of CBP

September 27, 2013

I am pleased to present the following report, “Comprehensive Exit Plan,” prepared by U.S. Customs and Border Protection (CBP).

This report responds to language in the Explanatory Statement and Senate Report 112-169 that accompany the *Fiscal Year (FY) 2013 Department of Homeland Security (DHS) Appropriations Act* (P.L. 113-6).

The report, which has been prepared in partnership with U.S. Immigration and Customs Enforcement (ICE), National Protection and Programs Directorate’s Office of Biometric Identity Management (OBIM), DHS Science and Technology Directorate (S&T), DHS Office of Policy, and DHS Office of Privacy, describes DHS’s recent efforts to implement an enhanced biographic exit system and biometric exit planning, to better target foreign nationals who overstay their lawful period of admission; the results of pilot programs at the land ports of entry (POEs) along the northern and southern borders; and efforts to align CBP’s missions and functions to meet the changes enacted in P.L. 113-6.



Pursuant to congressional requirements, this report is being provided to the following Members of Congress:

The Honorable John R. Carter  
Chairman, House Appropriations Subcommittee on Homeland Security

The Honorable David E. Price  
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Mary L. Landrieu  
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Daniel Coats  
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

The Honorable Robert Goodlatte  
Chairman, House Judiciary Committee

The Honorable John Conyers, Jr.  
Ranking Member, House Judiciary Committee

The Honorable Patrick J. Leahy  
Chairman, Senate Judiciary Committee

The Honorable Charles Grassley  
Ranking Member, Senate Judiciary Committee

The Honorable Michael McCaul  
Chairman, House Homeland Security Committee

The Honorable Bennie G. Thompson  
Ranking Member, House Homeland Security Committee

The Honorable Thomas R. Carper  
Chairman, Senate Homeland Security and Governmental Affairs Committee

The Honorable Tom Coburn, M.D.  
Ranking Member, Senate Homeland Security and Governmental Affairs Committee

If you have any questions, please do not hesitate to contact me at (202) 344-2001 or the Department's Chief Financial Officer, Peggy Sherry, at (202) 447-5751.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. McAleenan', with a long horizontal line extending to the right.

Kevin K. McAleenan  
Acting Deputy Commissioner  
U.S. Customs and Border Protection

# Executive Summary

In May 2012, DHS provided a report titled “Comprehensive Biometric Exit Plan” (May 2012 report) to the Committees, describing efforts to improve existing operations designed to target and penalize those who violate U.S. immigration laws by overstaying their lawful period of admission in the United States.

This report updates the committees on the efforts described in the May 2012 report, answers the specific items described in the statutory language of the *FY 2013 DHS Appropriations Act* (P.L. 113-6), and describes CBP’s efforts in aligning missions and functions required by changes enacted in P.L. 113-6.

CBP and its partner components within DHS have implemented major changes to the enhanced biographic exit program. First, in April 2013, DHS deployed Phase 2 of overstay validation and vetting, which is increasing connectivity among DHS systems and efficiencies, to better identify and sanction overstays.<sup>1</sup> Second, in June 2013, CBP deployed the second phase of the U.S.-Canada entry/exit initiative, which allows CBP to receive exit data on the northern border for non-Canadian foreign nationals departing the United States into Canada. This is a significant deliverable that obtains more data on land departures by third-country nationals than has ever been obtained previously by DHS, and will streamline the overstay identification process significantly. Finally, CBP is beginning its Southern Border Biographic Exit Initiative, to investigate the best methods of obtaining departure data from travelers departing from the United States into Mexico, and plans to complete a detailed report by the end of calendar year 2013.

CBP continues to research biometric exit capabilities using emerging biometric technologies. CBP and DHS S&T are partnering to develop a test facility that will examine operational concepts using biometric technology to improve all aspects of the CBP mission, including development of potential biometric exit program options in the air and sea environments.

Finally, CBP embraces the new direction within the entry/exit mission, as provided in P.L. 113-6, and will work toward development of a nationwide entry/exit system to enhance the integrity of the U.S. immigration system. The transitions of staff to CBP and ICE were successful and are now complete. CBP has created a home for the entry/exit transformation office charged with developing specified deliverables to implement an entry/exit program over the coming months and years that will benefit DHS significantly.

Overall, this plan illustrates the commitment of CBP and the rest of DHS to identifying and sanctioning those who abuse our immigration system, and to building an immigration system that has the confidence of the Congress and the American people.

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<sup>1</sup> For purposes of this document, a person who remains inside the United States beyond his or her lawful period of admission is considered an “overstay.”



# Comprehensive Exit Plan

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# I. Legislative Language

This document responds to language in the Explanatory Statement and Senate Report 112-169 that accompany the *FY 2013 DHS Appropriations Act* (P.L. 113-6).

The Explanatory Statement states:

Within 120 days after the date of enactment of this Act, U.S. Customs and Border Protection, in conjunction with the Office of Biometric Identity Management and any other appropriate partners, such as the Science and Technology Directorate, shall report to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and Governmental Affairs and the House Committees on Appropriations, the Judiciary, and Homeland Security on the Department's tangible progress in implementing an enhanced biographic exit system and biometric exit planning. The report shall include the results of the Canadian pilot programs and provide an update on the Mexican pilot program.

Senate Report 112-169 states:

The Committee directs the Secretary to report to the Senate Committees on Appropriations, the Judiciary, and Homeland Security and Governmental Affairs within 120 days after the date of enactment of this act, and to brief the Committee semiannually thereafter, on the Department's tangible progress in implementing an enhanced biographic exit system and biometric exit planning. The report shall include the results of the Canadian pilot programs and provide an update on the Mexican pilot program.

## II. Background

### A. Mission Need for Data on Foreign Nationals Departing the United States

One of the core missions of CBP is to enforce and administer U.S. immigration laws. A key aspect of effective enforcement of immigration laws is the ability to discern individuals who are lawfully present in the United States from those who have violated their terms of admission. Without this capability, enforcement efforts regarding overstays have little deterrent effect because there is not a consistent sanction for staying beyond one's authorized period of admission. An effective immigration system requires an end-to-end process that collects exit data and matches those to entry data. Without exit data, there is no meaningful way to determine whether foreign nationals have overstayed and no substantive process to allocate the necessary resources to determine which foreign nationals remain in the United States. Exit data are critical components for CBP to deliver on a core mission goal—to enforce and administer immigration laws.

Exit data are matched to the entry data collected by CBP officers at the time foreign nationals enter the United States. Before determining if individuals are overstays, DHS analyzes the data on the range of encounters individuals may have had, including whether individuals may have lawfully extended their stay in the United States or changed/adjusted their status through U.S. Citizenship and Immigration Services (USCIS).

As this report shows, CBP, ICE, and other DHS Components are working to deliver an effective immigration system that has the confidence of Congress and the American public, by working toward simultaneous goals. These goals include: increasing the availability of exit data for all DHS decision-makers; enhancing the quality of those data; effectively matching the entry and exit data on foreign nationals; and identifying and sanctioning overstays.

### B. Distinctions between Biographic and Biometric Exit Programs

In previous legislation, as well as in previous programs, there have been significant discussions concerning the type of exit data that should be collected. Typically, most countries use biographic data, which are essentially text data that are commonly included on the data page of a traveler's passport, such as name, date of birth, and country of citizenship.<sup>2</sup>

CBP has extensive experience and success with its biographic targeting, pre-arrival, and entry screening programs. Numerous biographic-based checks are queried simultaneously and, in the air environments, biographic-based checks are completed well before the traveler boards the aircraft to come to the United States. CBP is working on an equivalent system in the sea

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<sup>2</sup> Text data can be electronically captured through passport features on the basis of international standards, such as a machine-readable zone or an e-Passport chip. Many countries like Australia, Japan, and the United Kingdom rely on biographic data for their immigration processing.



environment. CBP is making progress on implementing the program described in the Secretary's plan, which was submitted in May 2012; this plan emphasizes that DHS will enhance its biographic exit program while exploring options for biometric exit.

A biographic program and biometric program follow the exact same process up to the point of the collection of the biometric. A biometric program requires additional data collection beyond biographic elements, specifically a physical component of a person that is unique to an individual, such as a facial image, fingerprint, or iris scan. CBP has collected biometric data from nearly all foreign nationals arriving at air and sea POEs, and at all land POEs at secondary inspection since 2005. This information is checked immediately against various derogatory records, including the known or suspected terrorist watch list.

CBP now has in place a robust entry/exit system and intends to deploy an entry/exit system that achieves two specific benefits: (1) high confidence that the individual is the same person encountered before (identification match), and (2) high confidence that persons complied with (or did not comply with) their authorized period of admission (entry and exit record match). In the exit context, this would mean that a traveler could not depart as an imposter (i.e., by using erroneous biographic information) and therefore appear to depart when the traveler has not actually departed. Biographic matches based on data such as names and document numbers provide significant evidence that the traveler is genuine, but biometrics should offer a greater degree of assurance that the individual is who he or she claims to be, and whether the individual has actually departed the United States. With improved matching capabilities, the ability to match biometric entry and exit data would become more accurate and complete. Continuing to take steps to improve our exit system will create more accurate, system-identified overstay records, thus reducing the number of overstay records manually vetted before forwarding to field offices for enforcement action.

### C. Summary of Efforts since 9/11

CBP provided a May 2012 report to the House and Senate Appropriations Committees, which described the efforts DHS has undertaken since 2001 regarding improving the ability to identify and sanction overstays. The accomplishments described in the report were completed primarily by CBP and OBIM (formerly the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) Program). The efforts included:

- 2002 – Creation of the Arrival and Departure Information System (ADIS), which collects and matches biographic entry and exit data collected by DHS.
- 2003 – Creation of the US-VISIT program, whose mission was to consolidate the collection of entry and exit data, both biometric and biographic, of individuals traveling into and out of the United States by air, land, and sea.
- 2004 – Deployment of biometric entry capability at all air and sea POEs.<sup>3</sup>
- 2005 – Deployment of biometric entry capability at all land POEs (in secondary inspection facilities).<sup>4</sup>

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<sup>3</sup> 69 Fed. Reg. 468 (January 5, 2004).

<sup>4</sup> 69 Fed. Reg. 53318 (August 31, 2004); 70 Fed. Reg. 54398 (September 14, 2005).



- 2004–2007 – Deployment of a pilot program collecting biometric data on departing passengers through use of kiosks located after the Transportation Security Administration (TSA) checkpoint or hand-held devices utilized at the airline gates.<sup>5</sup>
- 2007 – Establishment of the pre-departure Advance Passenger Information System (APIS) that requires air and sea carriers to provide accurate arrival and departure manifest information to CBP before boarding.<sup>6</sup>
- 2008 – Publication of a notice of proposed rulemaking<sup>7</sup> requiring the airlines to collect biometric data upon departure from the United States on behalf of DHS.
- 2009 – Deployment of a second pilot program<sup>8</sup> collecting biometric data on departing passengers at Detroit Metropolitan Wayne County and Hartsfield-Jackson Atlanta airports, based on two operational concepts: collection of biometric data by CBP officers in an airport jet bridge (Detroit Metropolitan Wayne County Airport) or by TSA officers at a TSA checkpoint (Hartsfield-Jackson Atlanta Airport).
- 2010 – Secretarial policy review to focus on enhancing the existing DHS biographic exit system, while simultaneously conducting research and development for a future biometric exit program.
- 2011 – Development of a DHS inter-Component working group to develop ways to enhance the ability of DHS to identify and sanction overstays; checks of all overstay records against National Targeting Center data; and checks of all overstay records against National Counterterrorism Center data.

The May 2012 report discussed future and proposed elements of enhancing the biographic exit capabilities, as well as the research and development into a biometric exit proposal. Updates on both programs are included in the following sections.

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<sup>5</sup> 69 Fed. Reg. 468 (January 5, 2004); 69 Fed. Reg. 46556 (August 3, 2004).

<sup>6</sup> 72 Fed. Reg. 483449 (August 23, 2007).

<sup>7</sup> 73 Fed. Reg. 22065 (April 24, 2008).

<sup>8</sup> 74 Fed. Reg. 26721 (June 3, 2009).

### III. Progress on Enhanced Biographic Exit

The enhanced biographic exit program increases the ability of DHS to collect accurate biographic data and match those data to entry records to identify overstays, as well as provide additional methods of ensuring that overstays are sanctioned. The program is currently divided into three main elements: Overstay Validation and Vetting, Document Validation, and Land Entry/Exit program.

#### A. Overstay Validation and Vetting

CBP, ICE, and OBIM have worked together to develop their enhanced biographic exit capabilities since the May 2012 report was released to Congress. That report described the pilot project in which 1.6 million unvetted potential overstay records<sup>9</sup> accumulated over a 7-year time period, would be checked against CBP's Automated Targeting System-Passenger (ATS-P), and other data, to determine if any of the existing potential overstay records posed a significant security threat. These records have all been reviewed and vetted. Through this activity, DHS identified specific records that were associated with a public safety or national security concern and referred those leads to ICE for further investigation. This was referred to as Phase 1 for Overstay Validation and Vetting, designed to better connect various sources of DHS data, to identify and sanction travelers of significant law enforcement interest more accurately and efficiently.

A beneficial byproduct of this effort was the identification of efficiencies and cost savings gained through automating this process, including the reduction in time of exchanging data between component systems. Through this new automated process, DHS Components identified ways in which to enrich data sources, enhance automated matching, eliminate gaps in travel history, and aggregate information from multiple systems.<sup>10</sup> As a result, ICE analysts are now able to more accurately and more quickly identify "true" overstay cases from potential ones.

For Phase 2 of Overstay Validation and Vetting, a variety of initiatives were implemented with two overall objectives in mind. The first objective is to vet the potential overstay population to identify threats. This would maintain Phase 1 activity in ensuring that all potential overstay records are immediately checked against certain derogatory data to quickly identify individuals who may pose a threat to public safety or are of national security concern. The second objective is to provide faster enforcement action on prioritized threats. Once threats are identified, ICE agents have information on which action can be taken.

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<sup>9</sup> "Unvetted overstay records" are those records that are identified by the automated system, ADIS, as possible overstays, but that still require further manual review to determine whether the person truly is an overstay in addition to other factors, such as criminal history, other immigration law violations, address in the United States, alias, etc.

<sup>10</sup> Department analysts are currently required to manually search different systems to determine whether a person has truly overstayed the terms of his or her admission. As an example, an individual could have lawfully changed his or her status within the United States and thus not departed when his or her original admission would have required. Not having all of the required USCIS information readily available within ADIS is a "gap" that these enhancements will help fill.

The Phase 2 deployment for Overstay Validation and Vetting was implemented on April 9, 2013. This multi-pronged effort included:

- **Automation of the flow of information among ADIS, ATS-P, and LeadTrac.** ADIS (currently managed by OBIM), ATS-P (managed by CBP), and the LeadTrac system (managed by ICE) now have seamless, automated flow of information among the three systems. The purpose of connecting them is to ensure that targeting information can be used to best prioritize overstay cases of the most importance and to take advantage of ATS-P held information to better monitor departures from the United States. Before April 9, 2013, all transfers had to be done manually, which was time consuming and inefficient. The connectivity also allows for continuous vetting of ADIS data for overstay leads, ensuring that newly introduced threat information can be included in the analysis and quickly provided to ICE agents.
- **Use of ATS-P to enhance name matching for overstay vetting.** CBP now is able to leverage the existing ATS-P matching algorithms, which allow for more accurate matching to derogatory records.
- **Development of a Basic ICE Overstay “Hot List.”** CBP has created an operational dashboard for ICE analysts that aggregates data from several source systems, allowing ICE analysts to easily view information for lead analysis. This has eliminated the manual process of exchange of data among OBIM, CBP, and ICE.
- **Enhancement of ADIS/IDENT/CLAIMS 3, and Student and Exchange Visitor Information System (SEVIS) interfaces.** OBIM now has improved connectivity between ADIS and IDENT (the DHS biometric storage and matching service), CLAIMS 3 (a DHS immigration benefits database, managed by USCIS), and SEVIS (the DHS foreign student database, managed by ICE). This ensures ADIS has a more complete picture of information held by DHS and closes out many false positive overstay cases, saving time and money and allowing for better allocation of DHS resources.

Collectively, the Phase 2 deployment provides increased efficiency by reducing technical operations support and processing time, combined with faster and more secure processing and transfer of data. It also reduces workload by decreasing the number of overstay cases requiring manual review (through fewer false positives) and overall more efficiently allocates resources. Phase 2 creates more flexibility/agility by reducing time and increasing DHS’s ability to quickly react to changes in the threat environment on the basis of intelligence received. This increases the ability of DHS to react appropriately concerning vetting of overstay records.

CBP, ICE, and OBIM continue to move forward on Phase 3 of Overstay Validation and Vetting. The goals of Phase 3 are to enhance the changes underway in Phase 2 and modernize ADIS. By mid-2014, DHS will develop and deploy:

- **Unification of Overstay Case Management Process.** By building a data exchange interface between ADIS and ICE’s LeadTrac’s modernized system, overstay case management work will be migrated to one analyst platform for DHS. ADIS will benefit from enhanced overstay case management updates from both the ICE Overstay Analysis Unit and Counterterrorism and Criminal Exploitation Unit.

- **Enhancement of the ADIS/TSA Alien Flight School Program (AFSP) Data Exchange.** ICE uses ADIS to flag overstays who are enrolled in the AFSP. These data exchanges will be done in an automated way instead of manually.
- **Continued Enhancement of ADIS/SEVIS Interface.** This will ensure ADIS has the most complete picture of information held by DHS and the most accurate picture of overstays possible; it will close out many false positive overstay cases, saving time and money and allowing for better allocation of DHS resources. Additional data elements and updates to data processing will be implemented.
- **Improved Matching Algorithms.** Lawrence Livermore National Labs Matching will complete a detailed analysis and provide recommendations as to how to fully incorporate biometric identifiers into biographic matching for all transaction types. This will enrich biographic matching capabilities by utilizing the confidence of biometrics, and will significantly enhance the ADIS/IDENT interface deployed during Phase 2.
- **Data Integration.** Building on Phase 2, data transfers among CBP, OBIM, and ICE systems will be streamlined and further automated.
- **Enhance the Overstay Hotlist** – Building on Phase 2, CBP will expand capability, including the use of additional law enforcement and counterterrorism data in the Hotlist for ICE.
- **User-Defined Rules Development.** Capability will be developed for end users (ICE agents) to create rule sets within ATS-P as threats evolve; capability will allow for prioritization of overstays meeting certain criteria.

The Overstay Validation and Vetting effort has proven to be valuable in more quickly and accurately identifying overstays. It has strengthened data requirements, identified overstays of national security concern, and automated manual efforts. As DHS and CBP proceed into Phase 3, we will keep the committees apprised of this information as the program moves forward.

## B. Document Validation

Individuals regularly attempt to travel using fraudulent documents, including imposters attempting to use valid documents, documents that have been altered, and fake documents. Air carriers may unwittingly transmit this incorrect passenger manifest information to CBP; this fraudulent information inhibits CBP's ability to properly vet the traveler for security and law enforcement concerns and hinders DHS's ability to match arrival and departure records.

CBP's Document Validation program will compare carrier-submitted pre-departure manifest data to issuance information. Through Document Validation, incorrect visa information submitted in a manifest will be identified before the issuance of a boarding pass, preventing individuals from traveling on expired, revoked, or fraudulent visas. Interactive response messaging advises the carrier when the traveler:

- Is Authorized to Board – pre-departure manifest information matches a source record.
- Could not be Validated – no matching source record is found; carrier must correct.
- Should not be Boarded – matching source record is found but adverse information exists.
- Is Pending Review – source record is found but requires documentary review.

CBP recommends that the carrier only board travelers that receive an “Authorized to Board” message. Although CBP cannot prohibit boarding as TSA does through the Secure Flight program, CBP will issue a recommendation to the carrier when significant concerns are identified. Carriers who board an individual against this recommendation may be subject to fines and additional expenses associated with returning the inadmissible passenger.

Document Validation is being developed and deployed through several phases. CBP is currently in the first phase, which is validation of visas (both immigrant and nonimmigrant). Subsequent phases will include validation of additional types of U.S.-issued travel documents. Currently, one airline is using document validation for 34 weekly flights, with two additional airlines activating test flights in the fall of 2013. Outreach to all air carriers has started, and the carriers fully support implementing Document Validation.

As CBP deploys Document Validation, it will need to request additional funding to cover the cost of subsequent phases of Document Validation (beyond the first phase) and seek regulatory authority to mandate carrier compliance. Although CBP does not today have the legal authority to prohibit boarding as TSA does through Secure Flight, CBP is able to fine carriers that provide inaccurate APIS manifest information or that board passengers who do not have appropriate documentation. CBP expects airlines to fully participate because carriers have a financial incentive to do so.

## C. Land Entry/Exit Program

Recording the exit of travelers departing the United States is especially challenging in the land environment, given the lack of physical infrastructure in departure lanes at the land ports. There are no inspection booths or facilities at departure lanes comparable to those for entry lanes. For example, the port at San Ysidro, California, is the largest entry-exit port for travelers coming to or leaving the United States. It has 25 entry lanes for vehicular traffic and approximately 4 for exit. For this reason, DHS has explored options for the recording of a foreign national’s departure that does not rely on significant infrastructure development. Congress has recognized the difficulties inherent in development of exit capabilities in the land environment.

### 1. U.S.-Canadian Border

As described in the May 2012 report, the *Beyond the Border Declaration*<sup>11</sup> gave DHS an opportunity to develop a low-cost way to collect exit information along the northern border of the United States. The *Beyond the Border Declaration* involves a series of commitments made by the United States and Canada to exchange data for a number of border enforcement and immigration security initiatives; one of these is that the United States and Canada will serve as the exit function for the other country by exchanging entry records. Land entries into one country will serve as exit records from the other.

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<sup>11</sup> United States-Canada Beyond the Border: A Shared Vision for Perimeter Security and Economic Competitiveness, Action Plan, December 2011. Accessible at [http://www.whitehouse.gov/sites/default/files/us-canada\\_btb\\_action\\_plan3.pdf](http://www.whitehouse.gov/sites/default/files/us-canada_btb_action_plan3.pdf).

If a traveler enters Canada from the United States across our shared land border, the Canada Border Services Agency (CBSA) transmits that entry data back to CBP, which uses the data as the record of the individual's departure from the United States. In return, the United States does the same for Canada. Through this mechanism, each country has achieved a land exit solution by working together and negating the need for costly new physical infrastructure or processes that could interfere with the flow of travel or trade in the border region.

There are three phases for the entry/exit information system described in *Beyond the Border*. In the first phase, Canada and the United States implemented a pilot project exchanging entry data for third-country nationals, permanent residents of Canada, and U.S. lawful permanent residents, who entered either country through four common land ports.<sup>12</sup> The two countries exchanged biographic entry data only on third-country nationals and permanent residents, not U.S. or Canadian citizens. The first phase of the project was deployed on time from September 30, 2012, until January 16, 2013.

The results exceeded expectations in terms of the ability of both countries to reconcile entry and exit records. Canada reconciled 94.5 percent of the records received from the United States, while the United States reconciled 97.4 percent of the records received from Canada. This means that the United States is able to verify the exit of a significant number of individuals, which will only increase in subsequent phases. CBP expects that these percentages will increase in subsequent phases with the inclusion of all land POEs at the northern border and as the causes for any non-reconciliation in this phase are better identified and subsequently rectified. On May 14, 2013, CBP and CBSA published a joint report for the first phase of this entry/exit project.<sup>13</sup>

In the second phase of the project, which was deployed on time on June 30, 2013,<sup>14</sup> Canada and the United States expanded the program exchanging the entry data for third-country nationals, permanent residents of Canada, and U.S. lawful permanent residents in the United States, to entry points at *all* automated common land ports.<sup>15</sup> As a result of these exchanges, the United States now has a fully functioning land border exit system on its northern border for non-U.S. and non-Canadian citizens. Specific data in terms of overstays identified and other metrics will be available in the coming months.

By June 30, 2014, Canada and the United States will implement the third phase of the project, expanding the program to include the exchange of entry data for all travelers (including U.S. and Canadian citizens) who enter through any automated common land ports on the northern border. Overall, this initiative is expected to enhance the ability to identify departures and successfully match entry and exit records at the land border for the first time.

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<sup>12</sup> The four locations were Peace Arch, Pacific Highway, Rainbow Bridge, and Queenstown/Lewiston.

<sup>13</sup> [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/national/05142013\\_6.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/national/05142013_6.xml)

<sup>14</sup> [http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/national/07032013.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/national/07032013.xml)

<sup>15</sup> An automated land border port is one in which data are collected electronically. Automated land ports currently collect well over 99 percent of the traffic of third-country nationals on both sides of the border.

## 2. U.S.-Mexican Border

Given the successes in development with the U.S.-Canada entry/exit program, CBP is seeking to develop a similar program with the Government of Mexico and determine what options exist in terms of collection of biographic information on the southern border. CBP is currently developing a plan that will analyze the existing opportunities and short- and long-term options for the development of exit capability.

There are stark differences between the northern and southern borders that will make a land entry/exit program on the southern border more challenging. Unlike Canada, Mexico does not have fixed physical structures at every major POE on its border with the United States to process travelers entering Mexico, nor does it have data collection procedures similar to the United States and Canada. Additionally, Mexico accounts for approximately 70 percent of the total land border crossings. In FY 2012, 234 million travelers crossed into the United States through a land POEs. Of the 234 million, 162 million entered through the southern border with Mexico.

Despite these obstacles, CBP will continue to research the potential for outbound data collection at the southern border, including: collection of usable departure information as part of existing CBP outbound enforcement processes, such as “pulse and surge” operations<sup>16</sup>; feasibility of the exchange of any available data with the Mexican Government concerning travelers who enter Mexico at certain POEs; and feasibility of the exchange of any available data with the Mexican Government concerning travelers who are processed at facilities in the interior of Mexico.

CBP will keep the committees updated on any progress toward a similar data exchange on the southern border of the United States.

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<sup>16</sup> “Pulse and Surge” are strategies whereby CBP officers monitor outbound traffic on the U.S. southern border. See Testimony of Commissioner Alan Bersin, U.S. Commissioner of Customs and Border Protection, before the Senate Caucus on International Narcotics Control, March 9, 2011. Accessible at <http://www.dhs.gov/news/2011/03/09/testimony-commissioner-alan-bersin-us-customs-and-border-protection-senate-caucus>. Although the purpose of “pulse and surge” is to counter traffic in drugs, currency, and firearms into Mexico, data collected during these operations could be used to create departure records for foreign nationals.



## IV. Progress on Biometric Exit

The May 2012 report summarized the history of the biometric exit pilot programs already undertaken by DHS, the lessons learned from pilot programs, and the DHS shift to researching emerging technologies for a biometric exit program. DHS learned from pilot programs that an exit system must seamlessly integrate biometric collection into existing traveler procedures and travel industry business processes. Deploying a solution that is inconvenient to travelers is not likely to be successful and will be met with passenger and private-sector resistance.

Additionally, an exit system must effectively control labor costs. In previous pilots, labor costs were the most significant expense and the majority of the cost in implementing a biometric exit capability. It is necessary to identify a biometric technology and collection process that can collect biometrics at a location that gives the highest assurance that the traveler departed, without requiring significant staffing to support biometric collection. Lastly, the pilot programs reinforced the principle that impacts should be minimized on the airlines and travel authorities. DHS Components must be able to work collaboratively with the carriers and facility operators to ensure a successful biometric air exit program that does not slow or adversely affect lawful travel.

DHS shifted its approach to research emerging technologies for a biometric exit program and turned to DHS S&T, in collaboration with CBP, to conduct further evaluation and testing. As part of this effort, DHS S&T will expand collaboration with the National Institute for Standards and Technology to evaluate new operational concepts based on new biometric technologies (not previously available for testing in pilots), and inform the design of more effective, cost-effective, and affordable approaches. DHS S&T will conduct testing activities within a formative evaluation framework, including process, outcome, and cost components to allow comprehensive analysis of the costs and benefits associated with both enhanced biographic exit and biometric exit. In addition, DHS S&T will engage private industry to accelerate the development of cost-effective technologies that will meet DHS's needs.

The May 2012 report also provided a schedule toward implementation of such a program, from testing in 2015 toward deployment by 2016–2018, if feasible. The following subsections summarize the progress DHS has made in the biometric exit program since then.

### A. Apex Agreement

CBP and DHS S&T have created an Apex Project titled Air Entry/Exit Re-Engineering (AEER) to assist CBP in addressing its challenges, as well as to enable DHS to meet the mandate for a biometric air exit capability. Apex Programs are DHS S&T initiatives that focus on cross-cutting or multi-disciplinary efforts, which are initially requested by DHS Components and are of a high priority, high value, and urgent nature.

The purpose of the AEER Project is to analyze, develop, test, pilot, and evaluate integrated approaches to biometrically confirm the departure of non-U.S. citizens at U.S. airports, as well as

to introduce more efficient traveler facilitation processes and effective biometric technologies to screen travelers entering the United States. Although current legislation focuses on biometric exit, improvements must be made to the end-to-end process, from entry to exit, to be most effective.

As an Apex agreement, DHS S&T has authorized funding to support the underlying operations and will spend approximately \$11 million in FY 2013 on this effort.

The goals of the project are to: 1) develop recommended approaches and implement technologies for cost-effective and integrated Air Exit biometric capabilities; and 2) identify and implement technologies and enhancements to existing airport Air Entry operations for inspecting and examining travelers entering the United States. Deliverables under the Apex agreement include development and testing of multiple candidate biometric exit concepts. The program also will include computer modeling and simulation of biometric air exit processes to evaluate potential candidates, and economic analyses of impacts on operations.

## B. Baseline for Biometric Exit

DHS, under S&T leadership, conducted operational surveys of U.S. international airports from April through August 2013. The visits are reviewing existing operations and airport facilities in order to factor them into upcoming analysis and testing. DHS S&T is visiting major international airports in the following cities:

- Atlanta
- Chicago
- Las Vegas
- Los Angeles
- Miami
- New York
- San Francisco
- Washington

The surveys will depict a baseline of the “as-is” operational processes and capacity and provide the operational requirements and capability gaps. Results will be analyzed to identify and prioritize which parts of the Air Entry/Exit process are potential areas of opportunity to introduce different processes or new technologies that will help CBP facilitate traveler entry and implement a biometric exit capability.

## C. Outreach to Carriers and Airports

Since February 2013, DHS also has begun its outreach to airlines and airports, seeking their assistance for biometric air exit testing. DHS has requested operating guidelines from airlines, to minimize the impact any future pilot test would have on live exit testing. Discussions with airports, airport authorities, airlines, and specific industry organizations are ongoing.

## D. Biometric Exit Test Capability

DHS S&T is establishing an Air Entry/Exit Demonstration/Test Bed to test biometric entry and exit concepts in a laboratory setting to include simulated scenarios that will mimic operationally relevant environments. The design was completed and a test location identified in May 2013 (in Landover, Maryland). The test capability is expected to be available by the end of calendar year 2013 with biometric entry and exit testing commencing in early calendar year 2014.

## V. Agency Realignment

P.L. 113-6 created a new structure within DHS for operational control of the entry/exit and overstay analysis programs. Entry/exit policy and operations were moved from US-VISIT to CBP. The overstay analysis function was moved from US-VISIT to ICE. The remaining parts of the US-VISIT program became OBIM.

There are several implications to the shifting of functions. CBP now maintains the overall entry/exit mission for DHS. ICE now conducts analysis of overstays on the basis of data collected by appropriate DHS Components and placed in ADIS. OBIM now focuses primarily on biometrics and supporting components as biometric capabilities are introduced. Overall, operational work in this mission area now resides exclusively in operational components, which in turn rely on other parts of DHS for support. CBP fully supports this realignment, embraces the new entry/exit mission, and will work to continue the efforts discussed to improve the existing nationwide entry/exit system with the goal of further enhancing the integrity of the U.S. immigration system.

Because of the extensive planning that occurred over the past year, the transitions of staff to CBP and ICE (as directed in the FY 2013 full-year appropriations bill) were successful and are now complete. CBP created an entry/exit transformation office, which is developing specified deliverables to implement an entry/exit program over the coming months and years. CBP will work closely with ICE, OBIM, and other parts of DHS to further this important mission.

## VI. Conclusion

CBP is committed to providing to the American public an immigration system with operational integrity. An integral component of this effort is to have an exit system that enables DHS to better identify and sanction those who overstay their period of lawful admission to the United States.

CBP is advancing aggressively to enhance our existing capabilities. CBP is improving its data collection upon departure, improving its ability to match entry and exit records, and developing technology and procedures to take immediate action against overstays who meet national security and public safety criteria. In addition, CBP is developing new sources of exit data and is taking administrative action, at a minimum, for all overstays identified. CBP is progressing on a fiscally conservative, thoughtful, and responsible path to deploy a comprehensive biographic and biometric entry/exit system.

CBP and DHS S&T continue to advance the research and development for potential biometric air exit program options and are identifying operational concepts that are feasible in the current environment at U.S. airports and seaports. CBP and DHS S&T will begin testing concepts in early calendar year 2014, which will significantly inform future efforts.

Overall, DHS has significantly improved the existing entry/exit system throughout all operational environments and will further the biographic efforts while working toward a feasible biometric solution. DHS will continue to keep Congress apprised of its efforts in developing an immigration system that has the full confidence of the American people.

## VII. Appendix—Acronyms

<b>Acronym</b>	<b>Definition</b>
ADIS	Arrival and Departure Information System
AEER	Air Entry/Exit Re-Engineering
AFSP	Alien Flight School Program
APIS	Advance Passenger Information System
ATS-P	Automated Targeting System-Passenger
CBP	U.S. Customs and Border Protection
CBSA	Canada Border Services Agency
DHS	Department of Homeland Security
FY	Fiscal Year
ICE	U.S. Immigration and Customs Enforcement
OBIM	Office of Biometric Identity Management
POE	Port of Entry
S&T	Science and Technology Directorate (DHS)
SEVIS	Student and Exchange Visitor Information System
TSA	Transportation Security Administration
US-VISIT	United States Visitor and Immigrant Status Indicator Technology
USCIS	U.S. Citizenship and Immigration Services