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Introduction

Chairman Cornyn, Ranking Member Durbin, and distinguished Members of the Subcommittee, thank you for the opportunity to appear today to discuss the progress the Department of Homeland Security (DHS) is making to incorporate biometrics into our comprehensive entry/exit system and to identify, report, and address overstays in support of our border security and immigration enforcement missions.

Presently, DHS, in conjunction with the Department of State, collects biometrics for most nonimmigrant foreign nationals¹ and checks them against criminal databases and the terrorist watchlist prior to the issuance of a visa or lawful entry to the United States. Furthermore, the Department has developed new capabilities and enhanced existing systems, such as the Automated Targeting System (ATS), using intelligence and other information to help identify possible unknown terrorists and others who seek to travel to the United States to do harm.

Today, DHS manages an entry/exit system in the air and sea environments that incorporates both biometric and biographic components. Applying a risk-based approach, the Department is now able, on a daily basis, to identify and target for enforcement action those individuals who represent a public safety and/or national security threat among visitors who have overstayed their authorized period of admission.

Moreover, with the recent support of Congress in the *Consolidated Appropriations Act, 2016* (Pub. L. No. 114-113), combined with the clear commitment and direction of the President in Section 8 of Executive Order 13780, *Protecting the Nation from Foreign Terrorist Entry into the United States*—U.S. Customs and Border Protection (CBP) is making significant progress toward implementation of a biometric exit system in accordance with the *Comprehensive Biometric Entry/Exit Plan* provided to Congress in April 2016.

The Department also released the Fiscal Year (FY) 2016 Entry/Exit Overstay Report in May 2017, which contains significant additional data not available in the FY15 version, which itself was the first such overstay report issued in over 20 years. As noted in the report, almost 99 percent of nonimmigrant travelers left the United States on time and abided by the terms of their admission; and we welcome and encourage their time spent in our country. Nevertheless, while the percentage of overstays is small, the sheer number of overstays is a problem for the United States. U.S. Immigration and Customs Enforcement (ICE) is effective at prioritizing for enforcement action those individuals who may pose national security and public safety threats. Yet, the scope of the overstay challenge means that we cannot shy away from using all available tools to resolve

¹ DHS regulations exempt certain categories of aliens from biometric collection requirements. *See e.g.*, 8 CFR 235.1(f)(1)(iv)(A)-(D) (exempting aliens younger than 14 or older than 79 on date of admission; aliens admitted on an A-1, A-2, C-3 (except for attendants, servants, or personal employees of accredited officials), G-1, G-2, G-3, G-4, NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, or NATO-6 visa; Taiwan officials admitted on an E-1 visa and members of their immediate families admitted on E-1 visas); classes of aliens jointly exempted by the Secretaries of Homeland Security and State; and individuals exempted by the Secretary of Homeland Security, Secretary of State or the Director of the Central Intelligence Agency) and 8 CFR 235.1(f)(1)(ii) (exempting certain Canadian citizens seeking admission as B nonimmigrants). On May 24, 2017, Secretary Kelly provided DHS Components with flexibility to expand the collection biometrics below and above the current age 14-79 thresholds for authorized mission purposes, where operationally required, technically feasible, and consistent with existing law, regulation, and/or policy.

this problem and protect the integrity of our immigration system. DHS, in partnership with Congress, will address this challenge head on with solutions that include both enhancements to the screening of potential foreign visitors as envisioned in the President's Executive Orders and, as appropriate, targeted actions focused on countries and categories of travelers that present significant risk.

Existing DHS Entry and Exit Data Collection

A *biographic*-based entry/exit system is one that matches the personally identifying information on an individual's passport or other travel documents presented when he or she arrives to and departs from the United States. The biographic data contained in the traveler's passport includes name, date of birth, document information, and country of citizenship. By comparison, a *biometric* entry/exit system matches a biometric attribute unique to the individual traveler (e.g., fingerprints, a facial image, or iris image).

How DHS Collects Arrival Information

The United States collects biographic and biometric information for all travelers seeking to enter the country legally. For instances in which an individual requires a visa to enter the United States, biometric and biographic information are captured at the time his or her visa application is filed with the Department of State (DOS), along with supporting information developed during an interview with a consular officer. Additionally, for certain visa categories, the individual will have already provided biographic information via a petition filed with U.S. Citizenship and Immigration Services. For eligible individuals seeking to travel to the United States under the Visa Waiver Program (VWP), biographic information is captured when the intending traveler applies for an Electronic System for Travel Authorization (ESTA).² If the individual is authorized for travel under the VWP, biometric information is captured and the traveler is interviewed by a CBP officer at the U.S. port of entry (POE).

ICE's Visa Security Program (VSP) deploys Homeland Security Investigation (HSI) Special Agents at key overseas diplomatic and consular posts to maximize the value of the visa process to identify terrorists, criminals and other aliens ineligible for a visa prior to their travel or application for admission to the United States. As part of VSP operations, these agents may develop additional information regarding potential travelers through interviews and working with domestic-based intelligence analysts.

Once travel commences in the air and sea environments, DHS also receives travelers' biographic information through passenger manifests submitted by commercial and private aircraft operators and commercial sea carriers. These manifests include every individual who actually boarded the plane or ship bound for the United States. This information is collected in DHS's Advance Passenger Information System (APIS) and all non-U.S. citizen data is then sent to the Arrival and Departure Information System (ADIS), where it is stored for matching against departure records.

² ESTA collects biographic data and screens passengers against various law enforcement and intelligence databases. ESTA has digitized the Form I-94 (Arrival/Departure Record) for authorized travelers from participating VWP countries.

ADIS is also the system used to subsequently determine overstay status in cases where an individual does not comply with the terms of their admission.

When a nonimmigrant arrives at a U.S. POE and applies for admission to the United States, a CBP officer interviews the traveler regarding the purpose and intent of travel, reviews his or her documentation, and runs law enforcement checks. If applicable,³ CBP collects and matches biometrics against previously collected data and stores this data within the Office of Biometric Identity Management's (OBIM) Automated Biometric Information System (IDENT). If admission is granted, the CBP officer will stamp the traveler's passport with a date indicating the traveler's authorized period of admission. Based on electronic information already in DHS's systems, CBP electronically generates a Form I-94, Arrival/Departure Record that the traveler can print remotely to provide evidence of legal entry or status in the United States. The form also indicates how long the individual is authorized to stay in the United States.

How DHS Collects Departure Information

The United States has a fully functioning *biographic* exit system in the air and sea environments. Similar to the entry process, DHS also collects APIS passenger manifests submitted by commercial and private aircraft operators and commercial sea carriers departing the United States. Carriers and operators are required by regulations promulgated under the *Trade Act of 2002* (Pub. L. No. 107–210) to report biographic and travel document information to DHS for those individuals who are physically present on the aircraft or sea vessel at the time of departure from the United States and not simply for those who have made a reservation or are scheduled to be on board. Since 2005, collection of this information has been mandatory, and compliance by carriers is nearly 100 percent. DHS monitors APIS transmissions to ensure compliance and, if needed, issues fines for noncompliance. CBP transfers this data (excluding data for U.S. citizens) to ADIS, which matches arrival and departure records to and from the United States.⁴

In the land environment, Canada and the United States have implemented a biographic exchange of traveler records that constitutes a biographic exit system on the shared border. Today, traveler records for all lawful permanent residents and non-citizens of the United States and Canada who enter either country through land POEs on the Northern border are exchanged in such a manner that land entries into one country serve as exit records from the other. The current match rate of Canadian records for travelers leaving the United States for Canada against U.S. entry records for nonimmigrants is over 98 percent. Upon passage and implementation of Canada's enabling legislation, Canada and the United States also plan to share data on Canadian citizens who cross the Northern border.

Additionally, CBP is able to reconcile a significant portion of travelers who arrive through our borders with Mexico, since the majority of those travelers are frequent crossers. CBP is able to close a previous arrival upon recording a new arrival.

³ *Supra* note 1.

⁴ DHS uses this information for a variety of immigration and law enforcement reasons, including to determine which travelers have potentially stayed past their authorized period of admission (i.e., overstayed) in the United States.

Addressing Overstays

This integrated approach to collecting entry and exit data supports the Nation's ability to identify and address overstays. CBP identifies two types of overstays – those individuals who appear to have remained in the United States beyond their period of admission (Suspected In-Country Overstay), and those individuals whose departure was recorded after their lawful admission period expired (Out-of-Country Overstay). The overstay identification process is conducted by the ADIS system consolidating arrival, departure, and change or adjustment to immigration status information to generate a complete picture of individuals traveling to the United States. This process extends beyond our physical borders to include a number of steps that may occur well before an individual enters the United States through a land, air, or sea POE and up to the point at which that same individual departs the United States.

CBP's ADIS identifies and transmits potential overstays to CBP's ATS on a daily basis, which screens them against derogatory information, prioritizes them, and sends them to ICE. ICE's lead management system, LeadTrac,⁵ retains them for review and vetting by analysts.

Through specific intelligence and the use of sophisticated data systems, ICE identifies and tracks available information on millions of international students, tourists, and other individuals admitted as nonimmigrants who are present in the United States at any given time. Overstays and other forms of nonimmigrant status violations bring together two critical areas of ICE's mission—national security and immigration enforcement.

Enhancing Capabilities

In the past few years, DHS has made substantial improvements to enhance our ability to identify, prioritize, and address confirmed overstays. DHS has improved the data quality and flow between systems, enhanced user interfaces, and empowered ICE agents to make and update rules-based targeting.

Since May 31, 2017, CBP has been sending email notifications to VWP travelers identified as having overstayed the terms of their admission and have subsequently departed the United States. Future plans include sending 10-day pre-notifications to VWP travelers who are at risk of overstaying their admissions period. Both of these efforts will be expanded to visa travelers in due course.

DHS has also undertaken a number of systems enhancements to reinforce immigration and overstay enforcement, strengthening data requirements through computer enhancements, identifying national security overstays through increased collaboration with the Intelligence Community, and automating manual efforts through additional data exchange interfaces. DHS is continuing this progress in FY17.

⁵ LeadTrac is an ICE system designed to receive overstay leads to compare against other DHS systems and classified datasets to uncover potential national security or public safety concerns for referral to ICE field offices for investigation. The system employs a case management tracking mechanism to assist with analysis, quality control reviews, lead status and field tracking.

Reporting Overstay Data

On January 19, 2016, DHS released the first Entry/Exit Overstay Report. This report represents a culmination of the aforementioned efforts to enhance data collection and address issues precluding production of the report in prior years. The *Entry/Exit Overstay Report for Fiscal Year 2015* provided data on departures and overstays, by country, for foreign visitors to the United States who were lawfully admitted for business (i.e., B-1 and WB classifications) or pleasure (i.e., B-2 and WT classifications) through air or sea POEs, and who were expected to depart in FY15 — a population which represents the vast majority of annual nonimmigrant admissions.

In May 2017, the Department released the *Fiscal Year 2016 Entry/Exit Overstay Report*. In partnership with other DHS Components, CBP is continuing to improve data provided by ADIS allowing for the FY16 report to include a significantly expanded classes of admission, compared with the FY15 report.

While the focus of last year's report was on individuals visiting the United States for business or pleasure, and those traveling under the VWP, this year's report expands the report population to include foreign student and exchange visitors (F, M, and J admission classes) and other in-scope nonimmigrant admission classes (such as H, O, P, and Q admission classes). With the expansion of the report population, the FY16 report accounts for 96.02 percent of all *air and sea* nonimmigrant admissions to the United States in FY16. This represents all in-scope classes of admission (i.e., classes of admission that can produce enforceable overstays), and is expected to be used as the baseline population for reporting annually going forward. However, it does *not* include vehicular or pedestrian admissions at land POEs.

In FY16, there were 50,437,278 in-scope nonimmigrant admissions to the United States through air or sea POEs who were expected to depart in FY16, which represents the majority of annual nonimmigrant admissions. Of this number, DHS calculated a total overstay rate of 1.47 percent, or 739,478 individuals. In other words, 98.53 percent of the in-scope nonimmigrant visitors departed the United States on time and abided by the terms of their admission.

The report breaks down the overstay rates further to provide a better picture of those overstays who remain in the United States beyond their period of admission and for whom there is no identifiable evidence of a departure, an extension of period of admission, or transition to another immigration status. At the end of FY16, there were 628,799 Suspected In-Country Overstays. The overall Suspected In-Country Overstay rate for this scope of travelers is 1.25 percent of the expected departures.

Due to continuing departures and changes in nonimmigrant status or adjustment of status to lawful permanent residence by individuals in this population, by July 1, 2017, the number of Suspected In-Country Overstays for FY16 decreased to 425,495, rendering the Suspected In-Country Overstay rate as 0.84 percent. In other words, as of July 1, 2017, DHS has been able to confirm departures, changes to, extensions of stay, or adjustment of status of 99.16 percent of nonimmigrant visitors scheduled to depart in FY16 via air and sea POEs, and that number continues to grow.

This report separates VWP country overstay numbers from non-VWP country numbers. For VWP countries, the FY16 Suspected In-Country Overstay rate is 0.60 percent of the 21,616,034

expected departures. For non-VWP countries, the FY16 Suspected In-Country Overstay rate is 1.90 percent of the 13,848,480 expected departures.

As mentioned previously, part of the nonimmigrant population in this year's report now includes visitors who entered on a student or exchange visitor visa, F, M, or J visa, respectively. DHS has determined there were 1,457,556 students and exchange visitors scheduled to complete their program in the United States. Of these, 5.48 percent stayed beyond their authorized window for departure at the end of their program.

For Canada, the FY16 Suspected In-Country Overstay rate is 1.33 percent of 9,008,496 expected departures. For Mexico, the FY16 Suspected In-Country Overstay rate is 1.52 percent of 3,079,524 expected departures. Consistent with the methodology for other countries, this represents only travel through air and sea POEs and does not include data on land border crossings. Currently, it is unclear if these numbers are inflated, as Canadian and Mexican nationals can depart across the land border. CBP is pursuing a variety of methods to obtain this land border departure data, which are discussed in greater detail below.

Identifying overstays is important for national security, public safety, immigration enforcement, and processing applications for immigration benefits. Moreover, it is one of the many drivers for DHS as it continues to develop and test the entry and exit system during FY17, both biometric and biographic, which will improve the ability of CBP to report this data accurately.

Overstay Enforcement in the United States

With regard to overstay enforcement, ICE focuses its efforts on identifying and prioritizing for enforcement action foreign nationals who overstayed their period of admission or otherwise violated the terms or conditions of their admission to the United States. ICE receives nonimmigrant compliance information from various investigative databases and DHS entry/exit registration systems. The information identifies nonimmigrants who have entered the United States through an established immigration entry process and may have failed to comply with immigration regulations. As part of a tiered review, ICE HSI prioritizes nonimmigrant overstay cases through risk-based analysis. HSI's Counterterrorism and Criminal Exploitation Unit (CTCEU) oversees the national program dedicated to the investigation of nonimmigrant visa violators who may pose a national security or public safety risk.

Using a comprehensive prioritization scheme, ICE identifies nonimmigrant overstays, conducts in-depth analysis, locates targets, and initiates field investigations by referring high priority information to ICE HSI field offices nationwide. In order to ensure that those who may pose the greatest threats to national security and public safety are given top priority, ICE uses intelligence-based criteria developed in close consultation with the intelligence and law enforcement communities.

Each year, ICE HSI CTCEU analyzes records of hundreds of thousands of potential status violators after preliminary analysis of data from the Student and Exchange Visitor Information System and CBP's ADIS, along with other information. Once the leads are received, ICE conducts both batch and manual vetting against government databases, social media, and public indices. This vetting establishes compliance or departure from the United States and/or

determines potential violations that warrant field investigations. Overstays who do not meet ICE HSI CTCEU's national security and public safety threat criteria are referred to ICE Enforcement and Removal Operations (ERO) for action.

As part of its vetting process, ICE HSI CTCEU also instituted the Visa Waiver Enforcement Program (VWEP). ICE HSI CTCEU scrutinizes individuals identified as potential VWP violators, to identify those subjects who attempt to circumvent the U.S. immigration system by seeking to exploit VWP travel. Other significant projects and initiatives include: the Recurrent Student Vetting Program; DHS's Overstay Projects; Absent Without Leave (AWOL) Program; INTERPOL Leads; and individuals who have been watchlisted.

In FY16, ICE HSI CTCEU reviewed 1,282,018 compliance leads. Numerous leads that were referred to ICE HSI CTCEU were closed through an automated vetting process. The most common reasons for closure were subsequent departure from the United States or pending immigration benefits. A total of 4,116 leads were sent to HSI field offices for investigation. At the end of 2016, from the 4,116 leads sent to the field, 1,884 were under investigation, 1,126 were closed as being in compliance (pending immigration benefit, granted asylum, approved adjustment of status application, or departed the United States) and the remaining leads were returned to ICE HSI CTCEU for continuous monitoring and further investigation. HSI Special Agents made 1,261 arrests, secured 97 indictments, and 55 convictions in FY16. Since then, additional case closures and arrests have been effectuated on those leads.

Improvements in Information Sharing, Data Integrity, and Use of Biometrics

ICE executes risk-based overstay enforcement activities as part of an integrated strategy to combat transnational crime in coordination with our domestic and foreign partnering agencies, targeting the illegal movement of people, merchandise and monetary instruments into, within, and out of the United States. In addition to developing viable leads for field investigation, ICE's in-depth vetting efforts serve to continually improve DHS's overall data holdings, and validate information across various DHS systems.

ICE has been an integral partner supporting the creation of a DHS Unified Overstay Case Management process that established a data exchange interface between ADIS, ATS-P, and ICE's LeadTrac systems. That effort has helped reduce the timeline required for vetting national security-related and public safety overstay leads.

Improvements in Overstay Enforcement and Office of Inspector General (OIG) Recommendations

ICE is committed to improving and evolving our overstay enforcement efforts, including through advancing our information technology capabilities. In 2014, ICE HSI CTCEU established the Open Source Team (OST) to conduct social media analysis to help resolve unable-to-locate cases. OST applies in-depth knowledge of a broad range of publicly available information to locate specific targeted individuals, identify trends and patterns, and identify subtle relationships. This initiative enhances investigative leads that are currently being sent to HSI field offices for investigation. In August 2016, ICE HSI CTCEU's Overstay Lifecycle and domestic counterproliferation pilot programs were launched. These pilot programs will help to better capture information on visa violators as part of an overarching visa lifecycle and identify foreign students who have access to sensitive technology. The Overstay Lifecycle pilot program tracks nonimmigrant visitors from the time they file a visa application to the time they depart from the

United States, or until such time as they become an overstay or otherwise fail to comply with their terms of admission. The domestic counterproliferation pilot program identifies nonimmigrant students who enter the United States to study in a non-sensitive academic field and subsequently transfer to a sensitive academic field, or attempt to work in areas posing a national security or public safety threat. It is anticipated that these pilot programs will provide another layer of security and tool for overstay enforcement in the United States.

Finally, ICE is working with DHS to address the recommendation in the recent report released by the DHS OIG. The report included two recommendations for ICE and ICE is working to identify training gaps for visa-related IT systems used by ICE personnel and to notify the ICE user community of available training options. ICE is also working towards compiling a comprehensive list of all visa-related systems across the Department, to include system owners and training points of contacts. By addressing these two concerns and ensuring that ICE users have the opportunity to receive official, hands-on training in visa IT systems and documented guidance on potential uses of each system, the efficiency and adeptness of the visa overstay tracking system will be enhanced. In the immediate term, ICE HSI has sent guidance to all HSI field offices providing further instruction on how to conduct HSI CTCEU investigations.

The DHS Office of Chief Information Officer (OCIO) is currently building an enterprise information-sharing platform that, in the future, can provide a solution to mitigate the issues raised and gaps identified in the OIG report. The vision of the Data Framework is to deliver an information-sharing platform in which intelligence analysts and mission operators have controlled, near real-time access to consolidated homeland security data in classified and unclassified environments in a manner consistent with applicable law and policy and while protecting individuals' privacy, civil rights, and liberties. The goal is to more efficiently leverage data across DHS components in a manner that allows mission users with the ability to access, search, manipulate and analyze, as appropriate; extract different datasets from multiple DHS systems for a specific purpose; retrieve accurate and timely information; and view the information in a clear and accessible format. In FY17, OCIO will begin to expand from the classified environment to meet mission needs in the unclassified environment.

CBP Comprehensive Biometric Entry/Exit System

Since FY13, CBP has led the entry/exit mission, including research and development of biometric exit programs. A comprehensive entry/exit system that leverages both biographic and biometric data is key to supporting DHS's mission. CBP developed and implemented a series of biometric exit pilot programs in the air and land environments between 2014 and 2016, and we testified before this Committee regarding those efforts in January 2016 and, most recently, in May 2017.

Biometric Exit in the Air Environment

The earlier trials allowed CBP to develop a realistic and achievable biometric exit plan. CBP's vision for implementing biometric exit is to "pre-stage" biometric data held in CBP systems throughout the travel process and allow that data to be used by each traveler as they follow the typical process for boarding an aircraft departing the United States. CBP will perform the matching function and use biometrics to streamline the passenger process throughout the air travel process, not just at departure.

Adding biometrics provides greater assurance of the information already collected by CBP and will allow for future facilitated processing upon both entry and exit. CBP will use a traveler's face as the primary way of identifying the traveler to facilitate entry and exit from the United States, while simultaneously leveraging fingerprints for derogatory holdings and other law enforcement. This innovative structure will make it possible to confirm the identity of travelers at any point in their travel, while at the same time establishing a comprehensive biometric air exit system.

CBP is dedicated to protecting the privacy of all travelers, and will ensure that all legal and privacy requirements are met as we continue to implement biometric exit.

CBP's plan is to complete the technical matching service by 2018, but this summer CBP will roll out biometric air exit technical demonstrations at a number of airports to continue biometric exit implementation. These demonstrations will occur at select flights in each of the airports. CBP has already deployed this capability to Washington Dulles, Atlanta/Hartsfield, and Houston/Bush International Airports, with five additional airports to come by September. In addition, CBP has partnered with airlines to establish biometric exit capability in Boston/Logan and JFK International airports. All of this was deployed in June 2017. CBP is continuing to discuss with additional airlines how they can be incorporated into the program.

CBP Traveler Verification Service (TVS)

The technical demonstrations are based on a concept that CBP has been testing since June 2016 at Atlanta Hartsfield International Airport. The Atlanta airport demonstration tested a solution under five guiding principles: 1) avoid adding any new process to minimize time and impact; 2) utilize existing infrastructure to avoid large capital costs and enable a near-term deployment; 3) leverage existing stakeholder systems, processes, and business models to reduce costs and avoid large changes for all stakeholders; 4) leverage passenger behaviors and expectations to promote ease of use for travelers; and 5) use existing traveler data and existing government IT infrastructure to reduce costs and avoid stove-piped systems.

The Atlanta test was designed using existing CBP systems, leveraging data already provided to the U.S. Government by the traveler and airlines. CBP created a pre-positioned "gallery" of face images from DHS holdings based on a flight departure manifest provided by the airline. These photographs can come from passport applications, visa applications, or interactions with CBP at a prior border encounter where a photograph is typically taken. Essentially, CBP creates a gallery of all the passengers it expects to see boarding an aircraft, based on the manifest provided by the airline.

CBP then compares a live photograph of the traveler captured at the departure gate to the flight's gallery of face images to confirm the traveler's departure, providing a biometric record of departure for passengers on that flight. This process allows CBP to increase security by using a facial biometric to match the traveler to their advanced passenger information and biographic vetting results while simultaneously checking the fingerprints on file against derogatory holdings.

In essence, for U.S. citizens the document check has been transformed from a manual process by airline personnel or CBP officers into an automated process using a machine. U.S. citizens are not exempted from this process for two reasons: first, it is not feasible to require airlines to have two separate boarding processes for U.S. citizens and non-U.S. citizens; and second, to ensure U.S.

citizen travelers are the true bearer of the passport they are presenting for travel. If the photograph captured at boarding is matched to a U.S. citizen passport, the photograph is discarded after a short period of time.

CBP has processed approximately 35,000 travelers through the Atlanta demonstration. For travelers who have an existing photograph in DHS systems- about 96 percent of travelers- the system is matching at a rate of 96 to 98 percent.⁶ Today, CBP continues to process biometric exit records for a limited number of daily international flights in Atlanta.

Summer 2017 Technical Demonstrations

Based on the success of the Atlanta demonstration, CBP has begun demonstrating the initial implementation of the TVS through the expansion of air exit capabilities to additional airports. The demonstrations are being deployed in conjunction with major U.S. air carriers and common use airports. Demonstrations are now operational at Washington Dulles International Airport and Houston George Bush Intercontinental Airport. By the end of summer 2017, demonstrations will be operational at a total of eight airports (Atlanta Hartsfield-Jackson International Airport, Chicago O'Hare International Airport, Houston George Bush Intercontinental Airport, Washington Dulles International Airport plus four additional large airports). The capability will utilize the TVS to biometrically identify departing travelers, and demonstrate to airlines and airports how biometrics can be integrated into current boarding processes, provide real-time, centralized biometric matching capabilities, and record biometrically verified outbound departures in CBP systems.

Stakeholder Outreach

CBP is executing a proactive engagement strategy with partners within the travel industry to execute public/private partnerships.

CBP has introduced the Biometric Entry/Exit vision to the air travel industry including international airports, U.S. airline carriers, and travel organizations.⁷ Biometric technology has the potential to transform how travelers interact with airports, airlines, and CBP, which has the potential to create a seamless travel process, to include check-in, bag drop, the security checkpoint, or entry of international passengers, improving both convenience and security. By involving all of the stakeholders, CBP is able to discuss and refine the solution and verify potential benefits for all stakeholders. For example, CBP is learning about best practices for integrating operations into existing airline boarding processes.

Biometric Exit in the Land Environment

In the land environment, there are often geographical features that prevent expansion of exit lanes to accommodate adding lanes or CBP-manned booths. CBP has developed a biometric exit land strategy that focuses on implementing an interim exit capability while simultaneously investigating innovative technologies needed to reach our long-term vision of a comprehensive biometric exit land solution. Recording exits and biometrically verifying travelers who depart at the land border will close a gap of information necessary to complete a nonimmigrant traveler's

⁶ Two of the most common reasons for not having a photo within DHS systems are flying as a U.S. citizen under military orders or as an alien who entered the United States without inspection.

⁷ Including the A4A, ACI-NA, AAAE, and IATA.

record in ADIS, and will allow CBP an additional means to determine when travelers who depart the United States via land have overstayed their admission period.

Given the limitations outlined above and DHS's desire to implement this program without negatively impacting cross-border commerce, a phased approach to land implementation will be undertaken. The initial implementation of the land exit strategy will require certain third country nationals to self-report their departure from the United States.

In addition, facial recognition technology, similar to what will be used in the air environment will be deployed at two ports on the Southwest border in both pedestrian entry and exit locations. Facial recognition technology will be implemented for frequent travelers and cameras will be located within the vicinity of primary processing booths. At pedestrian departure, cameras will also record facial images upon departure and once the camera system identifies a "match" (confirms the identity of the traveler), the system will record a biometrically confirmed exit for the traveler.

Biographic Exit Exchange Partnerships with Canada and Mexico

In April 2016, Canada reaffirmed its commitment to the United States to include all travelers who cross the Northern border in our two countries' biographic exchange. Canada will need to complete passage of additional legislation to facilitate this final phase.

Engagement with Mexico on establishing a similar collection and exchange of entry/exit information is underway, and both countries plan to implement a biographic data exchange at the San Ysidro POE in FY18, using reading of radio-frequency ID documents which are very common among southern border crossers.

Biometric Vehicle Capture "At Speed"

CBP will test "at speed" facial biometric capture camera technology on vehicle outbound travelers. CBP will utilize operational test facilities to evaluate performance of "at-speed" facial technology including determining optimal equipment placement, number of cameras necessary to capture photographs beyond the driver, and establish performance baselines. Comparative analysis will be performed on facial recognition matching algorithms being developed by academia and industry on images captured during operational tests. If found operationally viable in the test environment, a field trial will be initiated at a Southern border land POE.

Fee Collections for Exit Activities

In the *Consolidated Appropriations Act, 2016* (Pub. L. No. 114-113), Congress provided CBP with a fee-funded account for implementation of the biometric entry/exit system. Congress authorized up to \$1 billion in fees to be deposited into the account through FY25.

CBP has completed a spend plan and acquisition plan to account for the execution of these funds, which are currently being evaluated as part of the DHS Acquisition Review Board.

Conclusion

DHS is aggressively moving forward in developing a comprehensive biometric exit system, in the land, air and sea environments. We are proud of our progress. We look forward to the technical demonstrations in major airports coming this summer, and will continue to share our ongoing findings with this Subcommittee.

We also know that considerable work remains to address overstays. It is not acceptable to have hundreds of thousands of people overstaying or otherwise violating the terms of their admission to the United States. The report identifies countries and categories of travelers where the problem is most acute. The Department will work with Congress in addressing this problem.

Chairman Cornyn, Ranking Member Durbin, and distinguished Members of the Subcommittee, thank you for this opportunity to testify today on this important issue. We look forward to answering your questions.