

#### STATEMENT OF

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> FOR A HEARING ON "Biometric Exit"

#### **BEFORE THE**

United States Senate Committee on the Judiciary Subcommittee on Immigration and the National Interest

January 20, 2016

#### Introduction

Chairman Sessions, Ranking Member Schumer, and distinguished Members of the Subcommittee, thank you for the opportunity to appear today to discuss the Department of Homeland Security's (DHS) progress in incorporating biometrics into our comprehensive entry/exit system in support of our border security and immigration enforcement missions.

As recently as 12 years ago, the process of matching entry and exit data was extremely difficult. DHS legacy agencies relied on a mostly paper-based system to track arrivals and departures to and from the United States. There was no biometric collection by the Department of State (DOS) for visa applicants beyond photographs, nor for individuals seeking admission to the United States. Until 2008, myriad documents were accepted at land borders as evidence of identity and citizenship for admission or entry, and passenger information was provided voluntarily by air carriers. There was very limited pre-departure screening of passengers seeking to fly to the United States and interagency sharing of information on terrorist threats was minimal. Overall, these factors provided for only a limited ability to detect violations of immigration law based on overstaying a lawful admission period.

Over the last decade, with the support of Congress and our international partners, DHS particularly through the combined efforts of the Science and Technology Directorate (S&T), National Protection and Program Directorate's Office of Biometric Identity Management (OBIM), U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE) — has significantly enhanced its capability to record arrivals and departures from the United States, detect overstays, and interdict threats. DHS has dramatically reduced the number of documents that can be used for entry to the United States, which in turn strengthened DHS's ability to quickly and accurately collect information on all admissions (particularly at the land borders) to the United States and check that data against criminal and terrorist watchlists among others including immigration databases. In the air and sea environments, individuals undergo rigorous vetting before boarding an air or sea carrier for travel to the United States. Since 9/11, agencies have improved information sharing regarding known or suspected terrorists. Most nonimmigrant foreign nationals<sup>1</sup>, passengers' biometrics are collected and checked against terrorist watchlists prior to being issued a visa or being permitted to enter the United States. Furthermore, we have developed new capabilities and enhanced existing systems, such as the Automated Targeting System (ATS), to help identify possible terrorists and others who seek to travel to or within the United States to do harm.

Today, DHS manages an entry/exit system in the air and sea environments using biometric and biographic components that identify overstays. Using a risk-based approach, the Department is

<sup>&</sup>lt;sup>1</sup> The following categories of aliens currently are expressly exempt from biometric requirements by DHS regulations: 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; Children under the age of 14; Persons over the age of 79; Taiwan officials admitted on an E-1 visa and members of their immediate families admitted on E-1 visas. 8 CFR 235.1(f)(1)(iv). In addition, the Secretary of State and Secretary of Homeland Security may jointly exempt classes of aliens from US-VISIT. The Secretaries of State and Homeland Security, as well as the Director of the Central Intelligence Agency, also may exempt any individual from US-VISIT. 8 CFR 235.1(f)(1)(iv)(B).

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 those who have overstayed. Moreover, with the recent support of Congress in the Consolidated Appropriations Act,  $2016^2$  DHS is continuing to move forward in further developing a biometric exit system that can be integrated in the current architecture.

### **Existing Entry and Exit Data Collection**

Many countries collect a traveler's biographic data, which is essentially textual data contained in the traveler's passport, including name, date of birth, document information, and country of citizenship. A biographic-based entry/exit system is one that matches the information on an individual's passport or other travel document presented when he or she arrives to and departs from the United States. By comparison, a biometric system matches a biometric attribute unique to an individual (i.e., fingerprints, a facial image, or iris image) collected upon entry and departure.

## How DHS Collects Arrival Information

For instances in which an individual requires a visa to enter the United States, biometric and biographic information is captured at the time his or her visa application is filed with DOS, along with supporting information developed during an interview with a consular officer. It is important to note that if an individual is seeking to travel to the United States under the Visa Waiver Program (VWP), he or she must first obtain approval to do so through the Electronic System for Travel Authorization (ESTA).<sup>3</sup>

In the air and sea environment, DHS also receives passenger manifests submitted by commercial and private aircraft operators and commercial sea carriers, which include every individual who actually boarded the plane or ship. 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.

As part of CBP's pre-departure strategy, and throughout the international travel cycle, CBP's National Targeting Center (NTC) continuously analyzes passenger information, including visas and VWP ESTA authorizations. In addition to DOS's visa application and adjudication processes, the NTC conducts continuous vetting of nonimmigrant U.S. visas that have been recently issued, revoked, and/or denied. This recurrent vetting ensures new information that impacts a traveler's admissibility is identified in near real-time, allowing CBP to immediately determine whether to provide a "no board" recommendation to a carrier, recommend that DOS revoke the visa, or whether additional notification should take place for individuals determined to be within the United States. CBP devotes its resources to identifying the highest threats, including those travelers who may not have been previously identified by law enforcement or the Intelligence Community.

<sup>&</sup>lt;sup>2</sup> December 18, 2015

<sup>&</sup>lt;sup>3</sup> ESTA collects biographic data and screens passengers against various government databases. ESTA has virtually digitized the Form I-94 (Arrival/Departure Record) for authorized travelers from participating VWP countries.

When a nonimmigrant arrives at a U.S. port of entry (POE) by air or sea, and applies for admission to the United States, the traveler is interviewed by a CBP officer regarding the purpose and intent of travel. His or her document is reviewed, law enforcement checks are run, and, if applicable, biometrics (fingerprints and photo) are collected, matched, and stored within OBIM's Automated Biometric Information System (IDENT). If admission is granted, the CBP officer will stamp the traveler's passport with a date indicating his or her authorized period of admission. Based on electronic information already in DHS's systems, a Form I-94, Arrival/Departure Record, is electronically generated for that individual and can be printed remotely by the individual if he or she needs it 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.

When an individual bearing a nonimmigrant visa arrives at a land POE, the individual is sent to secondary inspection where biometrics are collected, when appropriate. CBP may issue that individual a Form I-94, Arrival/Departure Record, which records the authorized period of admission.

### How DHS Collects Departure Information

Similar to the way DHS gathers passenger manifests prior to entry through the air and sea environments, DHS also collects this information through APIS passenger manifests submitted by commercial and private aircraft operators and commercial sea carriers departing the United States. Since 2005, collection of this information has been mandatory and compliance is near 100 percent resulting in a fully functioning biographic exit system in the air and sea environments. Carriers are required to report biographic and travel document information to DHS for those individuals who are physically on the aircraft or sea vessel at the time of departure from the United States and not simply on those who have made a reservation or are scheduled to be on board. DHS monitors APIS transmissions to ensure compliance and issues fines for noncompliance on a monthly basis. CBP transfers this data (excluding data for U.S. Citizens) to ADIS, which matches arrival and departure records to and from the United States.<sup>4</sup>

In the land environment, as part of the Beyond the Border Action Plan,<sup>5</sup> the United States and Canada are implementing a land border exit system on our shared border. Today, traveler records for all lawful permanent residents and non-citizens of the United States and Canada who enter through land ports 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 exit records received from Canada against existing U.S. entry records is over 98 percent.

While the Southwest border does not provide the same capabilities and infrastructure as the Northern border, DHS obtains exit data along the Southwest border through "pulse and surge"

<sup>&</sup>lt;sup>4</sup> 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.

<sup>&</sup>lt;sup>5</sup> United States-Canada Beyond the Border: A Shared Vision for Perimeter Security and Economic

Competitiveness, Action Plan, Dec. 2011. Accessible at <u>http://www.whitehouse.gov/sites/default/files/us-canada\_btb\_action\_plan3.pdf</u>.

operations,<sup>6</sup> which provide some outbound departure information on travelers departing the United States and entering Mexico. The Department is pursuing every opportunity to leverage DHS's investments and its partnership with Mexico to develop the best methods of obtaining data from travelers departing the United States through the Southwest land border. Preliminary conversations have been promising and pilot programs are anticipated to begin in 2016.

Collecting entry and exit data is a single, but critical, aspect of our comprehensive entry/exit system and our ability to detect and address individuals who overstay their authorized admission period. If we look at the entirety of an entry/exit system, it extends beyond our physical borders to include a number of steps that may occur well before a visitor enters the United States through a land, air, or sea POE and up to the point at which that same visitor departs the United States.

CBP's ADIS identifies and transmits potential overstays to CBP's Automated Targeting System (ATS) on a daily basis, which screens them against derogatory information, prioritizes them, and sends them to ICE's lead management system, LeadTrac,<sup>7</sup>which retains them for review and vetting by analysts.

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 consolidating arrival, departure, and immigration status adjustment information to generate a complete picture of individuals traveling to the United States as described below.

Yesterday, January 19, 2016, DHS released the *Entry/Exit Overstay Report for Fiscal Year 2015* that provides 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 visas) or pleasure (i.e., B2 and WT visas) through air or sea POEs and who were expected to depart in FY 2015 — a population which represents the vast majority of annual nonimmigrant admissions. In FY 2015, of these nearly 45 million nonimmigrant visitors, DHS calculated a total overstay rate of 1.17 percent, or 527,127 individuals. In other words, 98.83 percent had left the United States on time and abided by the terms of their admission.

This report breaks the overstay rates down further to provide a better picture of those overstays, for whom there is no evidence of a departure or transition to another immigration status. At the end of FY 2015, there were 482,781 Suspected In-Country Overstays. The overall Suspected In-Country Overstay rate for this scope of travelers is 1.07 percent of the expected departures. Due to continuing departures by individuals in this population, by January 4, 2016, the number of Suspected In-Country Overstay rate as 0.9 percent. In other words, as of January 4, 2016, DHS has been

<sup>&</sup>lt;sup>6</sup> "Pulse and Surge" operations are strategies whereby CBP officers and agents monitor outbound traffic on the U.S.-Mexico border.

<sup>&</sup>lt;sup>7</sup> 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.

able to confirm the departures of more than 99 percent of nonimmigrant visitors scheduled to depart in FY 2015 via air and sea POEs, and that number continues to grow.

For Canada and Mexico the FY 2015 Suspected In-Country Overstay rate is 1.18 percent of the 7,875,054 expected departures and 1.45 percent of the 2,896,130 expected departures respectively. Consistent with the methodology for other countries, this represents only travel through air and sea ports of entry and does not include data on land border crossings.

This report also separates Visa Waiver Program (VWP) country overstay numbers from non-VWP country numbers. For VWP countries, the FY 2015 Suspected In-Country Overstay rate is 0.65 percent of the 20,974,390 expected departures. For non-VWP countries, the FY 2015 Suspected In-Country Overstay rate is 1.60 percent of the 13,182,807 expected departures. DHS is in the process of evaluating whether and to what extent the data presented in this report will be used to make decisions on the VWP country designations.

## Addressing Overstays

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

In the past four years, DHS has made substantial improvements to maximize our ability to identify, prioritize, and address confirmed overstays. DHS system enhancements that have strengthened our immigration enforcement efforts include:

- Improved ADIS and ATS-Passenger (ATS-P) data flow and processing quality and efficiency, increasing protection of privacy through secure electronic data transfer.
- Extended leverage of existing ATS-P matching algorithms, improving the accuracy of the overstay list. Additional ADIS matching improvements are underway to further improve match confidence.
- Developed an operational dashboard for ICE agents that automatically updates and prioritizes overstay "Hot Lists,"<sup>8</sup> increasing the efficiency of data flow between OBIM<sup>9</sup> and ICE.
- Implemented an ADIS-to-IDENT interface reducing the number of records on the overstay list by providing additional and better quality data to ADIS, closing information gaps between the two systems.
- Improved ability of ADIS to match U.S. Citizenship and Immigration Services' (USCIS) Computer Linked Adjudication Information Management System (CLAIMS 3) data for

<sup>&</sup>lt;sup>8</sup> Hot lists are lists of individuals that are prioritized based on their level of risk.

<sup>&</sup>lt;sup>9</sup> OBIM supports DHS components by providing storage and matching services using its IDENT system and returning any linked information when a match is made already encountered by DHS to identify known or suspected terrorists, national security threats, criminals, and those who have previously violated U.S. immigration laws.

aliens who have extended or change their status lawfully, and therefore have not overstayed even though their initial period of authorized admission has expired.

- Created a Unified Overstay Case Management process establishing a data exchange interface between ADIS, ATS-P, and ICE's LeadTrac system, creating one analyst platform for DHS.
- Enhanced ADIS and Transportation Security Administration (TSA) Alien Flight Student Program (AFSP) data exchange to increase identification, efficiency and prioritization of TSA AFSP overstays within the ADIS overstay population.
- Enhanced Overstay Hot List, consolidating immigration data from multiple systems to enable ICE employees to more quickly and easily identify current and relevant information related to the overstay subject.
- Established User Defined Rules enabling ICE agents to create new or update existing rule sets within ATS-P as threats evolve, so that overstays are prioritized for review and action based on the most up-to-date threat criteria.

These measures and system enhancements have proven to be valuable in identifying and addressing overstays. The DHS steps described above have strengthened data requirements through computer enhancements, identified national security overstays through increased collaboration with the Intelligence Community, and automated manual efforts through additional data exchange interfaces. DHS looks forward to continuing this progress in FY 2016.

# Overstay Enforcement in the United States

ICE actively identifies and initiates enforcement action on priority overstay violators. ICE's overstay mission is accomplished in close coordination with CBP. ICE's primary objective is to vet system-generated leads in order to identify true overstay violators, match any criminal conviction history or other priority basis, and take appropriate enforcement actions. Within ICE, Homeland Security Investigations (HSI) has dedicated units, special agents, analysts, and systems in place to address nonimmigrant overstays. Through investigative efforts, HSI is responsible for analyzing and determining which overstay leads may be suitable for further national security investigation.

From a DHS processing standpoint, ICE analyzes system-generated leads initially created by, or matched against, the data feed for biographical entry and exit records stored in CBP's ADIS. ADIS supports the Department's ability to identify nonimmigrants who have remained in the United States beyond their authorized periods of admission or have violated the terms and conditions of their visas. Once the leads are received, ICE conducts both batch and manual vetting against government databases, social media, and public indices. This vetting helps determine if an individual who overstayed has departed the United States, adjusted to a lawful status, or would be appropriate for an enforcement action.

As part of a tiered review, 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 risk. Each year, the CTCEU analyzes records of hundreds of thousands of potential

status violators after preliminary analysis of data from the Student and Exchange Visitor Information System (SEVIS) and ADIS, along with other information. After this analysis, CTCEU establishes compliance or departure dates from the United States and/or determines potential violations that warrant field investigations.

The CTCEU proactively develops cases for investigation in furtherance of the overstay mission and monitors the latest threat reports and proactively address emergent issues. This practice, which is designed to detect and identify individuals exhibiting specific risk factors based on intelligence reporting, travel patterns, and in-depth criminal research and analysis, has contributed to DHS's counterterrorism mission by initiating and supporting high-priority national security initiatives based on specific intelligence.

In order to ensure that those who may pose the greatest threats to national security are given top priority, ICE uses intelligence-based criteria developed in close consultation with the intelligence and law enforcement communities. ICE chairs the Compliance Enforcement Advisory Panel (CEAP), comprising subject matter experts from other law enforcement agencies and members of the Intelligence Community who assist the CTCEU in maintaining targeting methods in line with the most current threat information. The CEAP is convened on a quarterly basis to discuss recent intelligence developments and update the CTCEU's targeting framework in order to ensure that the nonimmigrant overstays and status violators who pose the greatest threats to national security are targeted.

Another source for overstay and status violation referrals is CTCEU's Visa Waiver Enforcement Program (VWEP). Visa-free travel to the United States builds upon our close bilateral relationships and fosters commercial and individual ties among tourist and business travelers in the United States and abroad. VWP participants, the primary source of nonimmigrant visitors from countries other than Canada and Mexico, currently allows eligible nationals of 38 countries to travel to the United States without a visa and, if admitted, to remain in the country for a maximum of 90 days for tourism or business purposes. Prior to the implementation of the VWEP in 2008, there was no national program dedicated to addressing overstays within this population. Today, CTCEU regularly scrutinizes a refined list of individuals who have been identified as potential overstays who entered the United States under the VWP. A primary goal of this program is to identify those subjects who attempt to circumvent the U.S. immigration system by seeking to exploit VWP travel.

## Enforcement Priorities

Every year, the CTCEU receives approximately one million leads on nonimmigrants that have potentially violated the terms of their admission. Over half of these leads are closed due to the vetting conducted by CTCEU analysts, which eliminates false matches and accounts for departures and pending immigration benefits. To better manage investigative resources, the CTCEU relies on a prioritization framework established in consultation with interagency partners within the national intelligence and federal law enforcement communities through CEAP. On November 20, 2014, the Secretary of Homeland Security established priorities to focus enforcement and removal policies on individuals convicted of significant criminal offenses or who otherwise pose a threat to national security, border security, or public safety. To better

manage its investigative resources, the CTCEU has aligned its policy on sending leads to the field with the Secretary's priorities.

The CTCEU's prioritization framework is divided into 10 CTCEU priority levels to identify possible immigration violators who pose the greatest risks to our national security. The CTCEU Priority Level 1 is based on special projects and initiatives to address national security concerns, public safety, and applying certain targeting rules. These 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 Fiscal Year (FY) 2015, CTCEU reviewed 971,305 compliance leads. Numerous leads that were referred to 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 9,968 leads were sent to HSI field offices for investigation – an average of 40 leads per working day. From the 9,968 leads sent to the field, 3,083 are currently under investigation, 4,148 were closed as being in compliance (pending immigration benefit, granted asylum, approved adjustment of status application, or have departed the United States) and the remaining leads were returned to CTCEU for continuous monitoring and further investigation. HSI Special Agents made 1,910 arrests, secured 86 indictments, and 80 convictions in FY 2015.

## Enhancing the Department's Comprehensive Entry/Exit System

Since FY 2013, 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. Biographic information is, and will continue to be, the foundation of our comprehensive entry/exit system, because it constitutes the vast majority of our intelligence, law enforcement, and background information that informs CBP whether or not to admit an individual into our country. DHS is also committed to incorporating biometrics into the exit aspect of our system and has made significant progress in the last few years.

DHS continues to strengthen systems and processes in order to improve the accuracy of data provided to ADIS. These improvements will enable ADIS to more accurately match entry and exit records to determine overstay status, and whether that individual presents a national security or public safety concern. Data that is entered into ADIS comes from a variety of sources in the Department including USCIS, CBP, and ICE. Additionally, DHS has identified mechanisms to ensure ICE investigators receive priority high-risk overstay cases for resolution in a timely fashion and to ensure other ADIS stakeholders (such as CBP, USCIS, and DOS) receive the best possible information with which to make immigration decisions. Furthermore, the DHS Appropriations Act of 2015 (P.L. 114-4) provided \$9 million for a new reporting environment for ADIS, enhancing DHS's ability to record and analyze the entry/exit data.

## Incorporating Biometrics into the Exit System

In pursuing a biometric exit system, DHS is cognizant that it needs to be compatible with existing infrastructure. The United States did not build its land border, aviation, and immigration infrastructure with exit processing in mind. In the land environment, there are often geographical features that prevent expansion of exit lanes to accommodate additional lanes or the

addition of CBP-manned booths. Furthermore, U.S. airports do not have designated and secure exit areas for outgoing passengers to wait prior to departure, nor do they have specific checkpoints for these passengers to go through where their departure is recorded by an immigration officer. Instead, foreign nationals depart the United States without government exit immigration inspection and intermingle with domestic travelers. At many airports, international and domestic flights share gate space for operations. Ultimately, CBP must develop a solution for this environment that ensures a passenger ticketed for a particular flight actually departed the United States in order for a biometric exit program to be credible. Additionally, airline carriers and airports are extremely concerned that a biometric exit process could create an environment in which an airport cannot afford to support an international flight because that space is so highly restricted.

In meeting these challenges, DHS has concluded that a viable biometric exit solution depends on leveraging emerging technologies to innovate ways of processing passengers biometrically. In coming to this conclusion, DHS has considered and rejected broad options involving recapitalizing the infrastructure at land borders and airports or the hiring additional officers to manually verify all departing travelers.

Recapitalization of all U.S. international airports and land borders would allow DHS to establish sterile physical areas, which, once entered, a foreign national cannot leave without inspection by an immigration officer. However, this recapitalization would also require significant limitations in the number of gates that airlines could use for international departures and an overall direct and indirect costs of billions of dollars. DHS does not consider this option as cost effective.

Currently, federal law states that airports serving flights with arriving foreign nationals must provide space, at no cost, to DHS for processing of travelers entering the United States. However, there is no corresponding provision that requires airports to provide space for processing of departing foreign nationals.

Alternatively, CBP could pursue a "brute force" solution within the constraints of existing infrastructure through hiring the thousands of new officers that would be necessary to biometrically verify departing passengers. There are currently thousands of international departure gates at the top 30 airports in the United States, which handle over 97 percent of the departing international passengers. Based on current and previous pilot programs, CBP would need 7-9 officers to handle a large aircraft, which accounts for many international departing flights. CBP estimates that in order to inspect 95 percent of all "in-scope" travelers departing by air, a manual solution at the top 30 airports would require approximately 3,400 more officers at an average annual cost of \$790 million.

For the land environment, a brute force approach to biometric exit would require building and staffing of hundreds of outbound lanes at land ports of entry, many of them operational 24-hours a day. It is estimated that the land solution would require dramatically increasing the current CBP Office of Field Operations work force and budget, and those costs would recur annually.

Instead, DHS believes the most efficient and cost effective solution to a viable biometric program is to leverage emerging technology. CBP is collaborating with S&T and would also partner with private industry to develop the tools needed. CBP has already deployed several

pilot programs in order to operationally test different technologies and operational processes, and determine the next steps in deploying a biometric exit program, to include:

*1-to-1 Facial Comparison Project* – From March to June 2015, CBP conducted a 1-to-1 Facial Comparison project. This biometric experiment at Washington Dulles Airport (Dulles) used facial comparison on some returning U.S. citizens to confirm the identity and determine the viability of using facial recognition technology during entry inspections. Facial images of arriving travelers were compared to images stored in the U.S. ePassport chips. This project tested the viability of the technology in matching a traveler to their travel document and assessed the extent to which it may further strengthen our entry screening abilities.

The success of this program led to deploying the project at JFK airport in New York on January 19, 2016; it will also return to Dulles in February 2016. Lessons learned from this deployment will inform the use of facial biometric matching during departure.

*Biometric Exit Mobile Air Test (BE-Mobile)* – Since July 2015, CBP has been experimenting with the collection of biometric exit data using mobile fingerprint collection devices on a random group of in-scope non-U.S. citizen travelers on selected flights departing from ten U.S. international airports. BE-Mobile confirms traveler departures with certainty; provides input to the cost-benefit analysis of a comprehensive biometric exit solution; and identifies threats in real time using biometric technology. This test has provided a small amount of biometric departure data, supported ongoing auditing of biographic data provided through airline manifests, and provided a significant law enforcement benefit for existing outbound operations. The technology is currently being used in the Top 10 airports: Chicago/O'Hare, Atlanta/Hartsfield, New York/JFK, Newark, Los Angeles/LAX, San Francisco, Miami, Dallas/Ft. Worth, Washington/Dulles, and Houston/George Bush.

*Pedestrian Field Test* – CBP has deployed a Pedestrian Field Test at the Otay Mesa POE in California, which involves the collection of biographic and biometric data from pedestrian travelers departing the United States. Biographic data is collected on all outbound travelers, including U.S. citizens, and biometric data (face and iris image capture) is collected on all inbound and outbound non-exempt, non-U.S. citizens. The field test intends to determine the viability of this technology in an outdoor land environment and assess if this process can be implemented with acceptable impacts. Overall, this initiative is expected to enhance CBP's ability to identify departures and successfully match biometric entry and exit records at the land border for the first time.

*Biometric Exit Field Trial* – This year, CBP will deploy a biometric exit field trial, which will test new technologies in collecting face and iris images from foreign nationals departing the United States through the air environments. This exciting program will help CBP determine the feasibility of collecting biometrics "on the move," which will greatly assist in deploying a nationwide program.

The concepts that CBP will be testing are based on the valuable information CBP learned through its partnership with S&T, known as the Apex Air Entry/Exit Re-engineering program. CBP has benefited greatly from S&T's deliberate process to analyze airport operations, assess cost-drivers, and evaluate biometric technologies through market surveys, industry engagement,

as well as laboratory and operational scenario testing to identify candidate concepts of operation. CBP and S&T look forward to continued collaboration and hope that through this pilot, we can identify a biometric air exit concept that can be deployed nationwide.

These initiatives have positioned DHS to succeed in developing an innovative biometric exit program. We will continue to work closely with our private sector partners as we move forward. Collaboration with private industry will be essential to help successfully create and deliver the technology solutions to meet current and future requirements in support of this homeland security effort.

### Conclusion

While implementation of a robust and efficient biometric solution will take time, DHS is aggressively evaluating emerging biometric technologies in existing operational environments. We are working closely with our domestic and international stakeholders to find solutions that protect the integrity of our visa system, minimize disruptions to travel, prove to be cost-effective, and provide sufficient flexibility to address both current and future requirements.

DHS will continue to evaluate the value and deployment costs of biometric technologies as they mature and pursue opportunities to strengthen border security and support our integrated homeland security missions.

Chairman Sessions, Ranking Member Schumer, 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.