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BORDER SECURITY

DHS Has Made Progress in Planning for a Biometric Air Exit System and Reporting Overstays, but Challenges Remain

Why GAO Did This Study

Each year, millions of visitors come to the United States. Overstays are individuals lawfully admitted on a temporary basis who then remain in the country beyond their authorized period of admission. DHS has primary responsibility for identifying and addressing overstays. In 2004, DHS was required to develop a plan to accelerate full implementation of an automated biometric entry-exit system. In various reports, GAO identified a range of long-standing challenges DHS has faced in its efforts to develop and deploy this capability and to use entry and exit data to identify overstays. For example, in 2013, GAO recommended that DHS establish timeframes and milestones for a biometric air exit evaluation framework and document the reliability of its overstay data. DHS concurred with the recommendations and addressed them.

GAO was asked to review DHS's progress in developing a biometric exit capability. This report examines DHS's efforts since GAO's 2013 report to (1) develop and implement a biometric exit capability and (2) report on and address potential overstays. GAO reviewed statutes and DHS documents and interviewed DHS officials about biometric exit capability development and overstays reporting. GAO also observed four biometric entry and exit pilot programs and analyzed overstay data for fiscal years 2013 through 2015 (most recent at time of review). GAO is not making any new recommendations in this report. In its comments, DHS stated that it is using a biometric verification system to confirm the departure of selected travelers at one airport and plans to release its 2016 overstays report in late February 2017.

View GAO-17-170. For more information, contact Rebecca Gambler at (202) 512-8777 or gamblerr@gao.gov.

What GAO Found

Since GAO's 2013 report on the Department of Homeland Security's (DHS) efforts to develop a biometric exit capability to collect biometric data, such as fingerprints, from individuals exiting the United States, U.S. Customs and Border Protection (CBP) has conducted four pilot programs to inform the development and implementation of a biometric exit system. CBP has made progress in testing biometric exit capabilities, but various longstanding planning, infrastructure, and staffing challenges continue to affect CBP's efforts to develop and implement a biometric exit system. CBP set 2018 as the goal for initial implementation of a biometric exit capability in at least one airport and is working with airlines and airports on strategies for using public/private partnerships to reduce costs and give industry more control over how a biometric exit capability is implemented at airport gates. However, the agency cannot complete the planning process until these partnership agreements and implementation decisions are finalized. As GAO has also previously reported, infrastructure limitations are a challenge to implementing a biometric air exit capability. For example, CBP noted that U.S. airports generally do not have outbound designated secure areas for exiting travelers where biometric information could be captured by U.S. immigration officers. CBP recognizes these challenges and intends to use the information gained from the pilot programs to identify biometric exit technology and staffing processes that are effective in the airport environment. As CBP is in the process of finalizing its approach, it is too early to assess the agency's plans for developing and implementing a biometric exit capability and the extent to which those plans will address identified challenges.

Since GAO's 2013 report, DHS has reported some required information on potential overstays—individuals who are admitted to the country under a specific nonimmigrant category but exceed their lawful admission period—and has not changed its enforcement priorities for potential overstays. In January 2016, DHS issued its first report on estimated overstay rates that covered fiscal year 2015, which included some but not all overstay information required by statute. The report described expected overstay rates by country for foreign visitors lawfully admitted for business or pleasure through air and sea ports of entry (POE) who were expected to depart the United States in fiscal year 2015. However, because of data reliability concerns, the report did not include all information required by law, including overstay rates for foreign visitors who entered the country through land POEs or under other nonimmigrant categories. According to DHS officials, the report for fiscal year 2016 will include reliable overstay rates on foreign students arriving through air and sea POEs. DHS expects to start reporting overstay rates for foreign visitors who entered the country through land POEs in the report for fiscal year 2017. DHS has improved overstays reporting by, among other things, enhancing the systems it uses to process entry and exit biographic data for potential overstays and is exploring options to collect information from land POEs. DHS has not changed its enforcement priorities with respect to potential overstays, continuing to focus its enforcement actions on individuals that may pose a national security or public safety risk. Specifically, in fiscal years 2013 through 2015, the agency reviewed approximately 2.7 million overstay leads and sent 26,982 of them (about 1 percent) to field offices for further investigation.

_____ **United States Government Accountability Office**