



DHS Proposes Biometric Airport and Seaport Exit Procedures

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Office of the Press Secretary
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Collection of Alien Biometric Data upon Exit from the United States at Air and Sea Points of Departure: US-VISIT Program

The U.S. Department of Homeland Security (DHS) announced today a notice of proposed rulemaking that will establish biometric exit procedures at all U.S. air and sea ports of departure. The majority of non-U.S. citizens are already required to submit digital fingerprints and a digital photograph for admission into the country. The US-VISIT Exit proposal would require non-U.S. citizens who provide biometric identifiers for admission to also provide digital fingerprints when departing the country from any air or sea ports of departure.

"The 9/11 Commission called for biometric entry and exit records, because biometrics confirm that travelers are who they say they are and the purpose of their travel is as they claim it to be," said Homeland Security Secretary Michael Chertoff. "We've built an effective entry system, and combined with the proposed exit system, we'll have made a quantum leap in America's border security. Air and sea carriers would actively participate in the proposed exit system, and I look forward to an ongoing dialogue on solutions to meet this key 9/11 Commission recommendation."

The United States Congress, the 9/11 Commission and the department have concluded that biometric records of the entry and exit of international visitors are essential for the integrity of the nation's immigration and border management system. The proposed rule does not change current exit procedures for departing visitors. Visitors departing the U.S. should continue to return their paper Form I-94 or Form I-94W to airline or ship representatives.

The proposed rule would require commercial air carriers and cruise line owners and operators collect and transmit international visitors' biometric information to DHS within 24 hours of leaving the United States. Carriers are already required to transmit biographic information to DHS for all passengers prior to their departure from the United States. DHS is committed to protecting the privacy of international visitors and will require that these systems meet the department's transmission capability and data security requirements. The proposed rule does not designate a specific location within the port of departure for biometric collection and does not apply to small carriers or vessel owners and operators, or to general aviation.

DHS completed a test of biometric exit procedures at several U.S. airports and seaports last year. Based on the results of this test, DHS determined that biometric exit procedures must be integrated into the existing traveler process to ensure compliance and provide visitors with a consistent experience from port to port.

DHS intends to implement air and sea biometric exit procedures by January 2009, fulfilling a key provision of the Implementing the Recommendations of the 9/11 Commission Act of 2007. This proposed rule will enable the Secretary of DHS to retain the necessary authority to manage the Visa Waiver Program effectively. If the exit program has not been implemented by June 30, 2009 the department may not be able to extend Visa Waiver Program privileges to new countries. The Secretary's waiver authority is critical for the United States to invite more of its allies to participate in the Visa Waiver Program.

The notice of proposed rulemaking will be published in the Federal Register and will provide the general public an opportunity to submit written comments electronically or by mail. Once published, comments may be submitted via:

- **Federal Rulemaking Portal:** www.regulations.gov. Follow the instructions for submitting comments. All submissions received must include the agency name and docket number for this rulemaking. All

comments received will be posted without change to www.regulations.gov, including any personal information provided.

- **Mail:** Written comments may be submitted to: US-VISIT, Attn: Air Exit NPRM, Department of Homeland Security, 1616 N. Fort Myer Drive, 18th Floor, Arlington, VA 22209.

Submissions must include the agency name and docket number DHS-2008-0039. The text of the proposed rule is available at www.dhs.gov. Following the 60-day public comment period and review, a final rule will be published outlining the new requirements and their effective date.

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