

**Statement of James C. May
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Before the Subcommittee on Infrastructure and Border Security
Select Committee on Homeland Security
United States House of Representatives
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Mr. Chairman and members of the Subcommittee, my name is James C. May and I am President and CEO of the Air Transport Association of America (ATA). ATA is the trade association for leading U.S. airlines. Our members transport over 95 percent of all the passenger and cargo traffic in the United States. Thank you for inviting me to appear before you today to discuss the United States' Visitor and Immigrant Status Indicator Technology Program – more commonly known as “US-VISIT”.

Congress mandated the US-VISIT program in the Enhanced Border Security and Visa Reform Act of 2002. This statute established the requirement that all foreign national visa holders be photographed and fingerprinted upon arrival and prior to departure from the United States. The Department of Homeland Security's (DHS) broad Congressional mandate to create an integrated, automated entry/exit system, recording the arrival and departure of travelers is both ambitious and important. Because the airline industry transports 51 million international passengers each year, it is essential to our industry, and our passengers, that this program improve overall border management while further enhancing our Nation's security. We support DHS in its efforts to create and implement US-VISIT.

While the airline industry is pleased to work with DHS and our national security leaders to participate in these programs, we believe it is critical that DHS adhere to the planned schedule for deploying US-VISIT at the northern and southern land borders. This is especially important since airline passengers make up only 4% of all U.S. entrants subject to US-VISIT requirements while land borders make up 37% of such visitors. Until US-VISIT is deployed nationwide at all border crossings, the system will not be effective in enhancing our national security.

We compliment the Department of Homeland Security, and specifically, Undersecretary Hutchinson and the Office of Border and Transportation Security, the US-VISIT Program Office, and the Bureau of Customs and Border Protection (CBP), for working together to carefully and completely plan for a successful implementation. Their attention to careful planning, in full consultation with all interested parties has been first rate. We look forward to continuing this cooperative approach.

First, I will offer some lessons learned and observations about the entry portion of US-VISIT. Second, I will address on-going concerns with the exit pilot program. Finally, I will briefly mention some overarching screening program concerns.

US-VISIT -- ENTRY

As you know, the pilot for entry was conducted at Atlanta's Hartsfield/Jackson International Airport, in partnership with Delta Air Lines. We believe it was an excellent opportunity to test the process both from the government and the industry perspective. The pilot allowed everyone involved to become familiar with the newly deployed equipment and to provide input at the implementation phase.

In the short time that the US-VISIT entry process has been operational, the airlines have been very pleased with its smooth operation. Airlines believe that a key to the initial success of the US-VISIT entry process can be attributed to the increased federal inspectors associated with the program.

We initially were wary of the decision to place the entry process at the primary immigration inspection stanchions due to concerns over staffing levels. Ensuring an adequate number of federal inspectors, whether legacy INS or legacy Customs, has been a longstanding and significant concern of the airline industry. If not adequately staffed, such placement in the current configuration of most airports could not accommodate the inevitable long lines due to the US-VISIT processing requirements. In addition, these long lines not only delay our customers and but also could possibly delay airport operations.

This DHS worked with us to address this staffing level issue; therefore, we are satisfied that the US-VISIT entry process has not inhibited or lengthened the overall passenger processing times as we had feared.

US-VISIT – EXIT

As with the entry process, we appreciate the open communications we have had, and are having, with DHS on the development of the exit portion of the program. As you are aware, a kiosk approach is being piloted at Baltimore/Washington International Airport (BWI). This approach versus other possibilities – for example, processing eligible US-VISIT passengers at the TSA checkpoint – remains an open question.

Given the opportunity to evaluate the exit pilot thus far, we have some remaining issues we would like to see addressed. First, due to the voluntary nature of the current pilot, we are concerned that the underlying purpose of US-VISIT, monitoring both the entry and exit of foreign nationals will not be met. Without government enforcement, the airline industry could be put in a position of transporting an ineligible passenger to the United States only to have to absorb the expense of returning that passenger back to his originating airport.

Second, at the BWI pilot, the kiosks are located immediately beyond the Transportation Security Administration's (TSA) checkpoint. US-VISIT has placed signage both within the TSA

checkpoint and immediately beyond the checkpoint, directing passengers to the kiosks. We believe that the signage is insufficient. At the TSA checkpoint, passengers are too busy concentrating on keeping an eye on their belongings – coats, shoes, jewelry, etc. to notice the signage.

Third, the kiosks are silent. Currently, the system relies on a touch screen with icons to direct the passenger through the process. From our observation, this is inadequate. More work remains to be done to make the process easily understood and user friendly, particularly for non-English speaking travelers.

As we continue through this pilot program, we understand that the Office of Management and Budget has directed DHS to explore alternatives to the kiosk system in capturing the biometric data. The airline industry asks to participate in any discussions on this topic. As you are aware, ATA opposes any requirement that airline staff collect the biometric data, either at the check-in counters or at the departure gates. Airline personnel should not be used as quasi-immigration officers.

OTHER SCREENING ISSUES

We are aware that DHS is developing other passenger screening capabilities, most specifically the CAPPS II program that may be adapted to also readily identify US-VISIT exiting passengers. We would urge that, as these programs develop, consideration be given to combining screening and exit processing to better meet the needs of the traveling public and continue to enhance vital security needs. We believe that the nation's interests will best be served by a seamless, fully integrated approach to passenger processing and screening. When fully implemented the US-VISIT entry/exit program must be enforceable and integrated into any new technologies and programs under development at the DHS.

In conclusion, I want to reiterate our support for the comprehensive and efficient implementation of the US-VISIT entry program. We look forward to working with both the Congress and the DHS to fine tune the processes and develop an exit policy that meets the requirements of the law, but does not discourage travel to the United States.

Mr. Chairman, thank you again for inviting me to testify on a very important component to the nation's overall security policy. I will be happy to answer any questions that you may have.