



## Immigration Task Force

# Entry-Exit System: Key Challenges and Implications for Enforcement

May 2014

An entry-exit system's purpose is to track the arrival and departure of foreign nationals to the United States using either biographic (names and birthdates) or biometric (fingerprints and photographs) data. The U.S. Department of Homeland Security (DHS) uses these data to track when foreigners enter the country and whether they leave in accordance with the terms of their admission. Statute requires the government to record biometric entry and exit at all land, air, and sea ports of entry (POE). The entry capability is complete, but universal exit checks are not yet in place. DHS collects biographic exit data at airports, seaports, and the northern land border, but no biometric collection takes place on exit, and no mandatory collection of exit data exists at the southern land border.

### Key Challenges

Because the entry system has been implemented, the focus now is on completing the exit portion for (1) vehicles at land POEs and (2) airports, seaports, and land pedestrians.

The first group presents the greatest challenge. At land POEs, no infrastructure exists on the U.S. side of the border to inspect departing vehicles, which exit the country at speed. Possible solutions for completing the land exit system present significant challenges:

- *Duplicating the entry infrastructure.* Today, DHS maintains about 5 times as many entry lanes as exit lanes. Most POEs do not have sufficient space to build lanes and booths that would “mirror” the entry infrastructure. Where space exists, new lanes and booths would carry substantial personnel costs and require time-consuming land acquisition, environmental assessment, and planning processes.
- *Data sharing with Canada and Mexico.* Currently, exit data for the northern border comes from a data sharing partnership with Canada, which only collects biographic data. DHS is pursuing an agreement with Mexico. However, Mexico does not currently collect biographic or biometric data on entries, and it does not have the infrastructure to do so.
- *At-speed collection.* Under this approach, DHS would issue travelers documents equipped with radio frequency identification (RFID) chips that could be read as the vehicle speeds out of the country. This solution presents three key challenges: (1) traveler compliance, (2) verifying that the individual, not just their documents, exited the country, and (3) technical feasibility.



- *Cross-border kiosks.* This method would require foreign travelers to record their exit at stations located in the interior of Mexico (or Canada). Key challenges include (1) traveler compliance, (2) verifying the authenticity of exit records, (3) the user-friendliness of the kiosks, and (4) logistical and technical issues.

At airports, seaports, and land pedestrian crossings, DHS has done testing and evaluation and has assessed that the necessary technology is available for a biometric solution. DHS is currently engaged in another round of technical and logistical assessments of new technologies, with a goal of piloting new approaches in 2015. However, these technologies have yet to be proven operable in real-world environments. In past pilots, matches based on the biometric data collected were significantly less accurate than biographic matching.

## Implications for Enforcement

An entry-exit system's operational value is ultimately determined by the extent to which it improves law enforcement, both for immigration purposes and for dangerous criminals and terrorists. The potential benefits of an exit system for immigration enforcement break down as follows:

- *Statistical purposes.* An entry-exit system can generate statistics that help the government determine the effectiveness of its enforcement efforts, the size of the overstay population, and country eligibility for special admission programs like the Visa Waiver Program. Biographic data would be sufficient for these purposes.
- *Denial of admission or visas.* The ability of DHS and the U.S. Department of State (DOS) to deny admission or visas to people who overstayed in the past would improve. Biometrics would enhance this capability by increasing confidence in these denials.
- *More efficient enforcement.* A complete exit system would reduce the need to pursue leads for individuals who already departed or adjusted status. Compared to biographic capability, biometrics would add a modest amount of additional efficiency through more accurate matches.
- *Additional interior enforcement.* While accurate overstay identification capability could support stepped-up interior enforcement, for overstays encountered through routine contact with law enforcement—the way most unauthorized immigrants are currently located and

removed—exit records are not as important as data on entry and authorized period of stay. For those not already encountered, exit records permit generation of lists of individuals for investigation, but would not provide information or resources necessary to locate or remove those individuals.

For criminals and terrorists, the entry capability is most important because it enables the DOS and DHS to ensure that known dangerous individuals never enter the country in the first place. The major potential benefit of exit records for this group is information about whether a dangerous criminal or terrorist has left the country. However, confidence in this information would have to be extraordinarily high; if the system were too susceptible to fraud, criminals could disguise their presence in the country by creating a false record of exit.

Based on a detailed analysis of these issues, the Bipartisan Policy Center's May 2014 staff report makes the following key observations:

- Biometric identifiers have greater potential for accuracy than biographic, but this benefit has not been proven in real-world settings. Additional testing and piloting will be needed to prove capability.
- Exit records offer little value for overstays who come into contact with law enforcement—the dominant way unauthorized immigrants are currently identified and removed. The key benefits of exit records would be to (1) enable the government to deny future visas or admission on the basis of past overstays and (2) improve the efficiency of interior enforcement by reducing the number of dead-end overstay investigations for individuals who already left the country. A biographic system could provide the bulk of these benefits.
- The southern land border presents a significant barrier to completing the exit system. These challenges will be difficult to overcome in the near- or medium-term.
- If DHS were to implement a biometric exit system before all logistical and technical questions are answered, it would be unlikely to provide the full benefits it is designed to achieve.

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This document is based on the Bipartisan Policy Center's May 2014 analysis, "Entry-Exit System: Progress, Challenges, and Outlook." To read the full report, please visit [bipartisanpolicy.org/immigration](http://bipartisanpolicy.org/immigration).

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