

Comments on Collection of Alien Biometric Data Upon Exit From the United States at Air and Sea Ports of Departure; United States Visitor and Immigrant Status Indicator Technology Program (“US-VISIT”)

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Clear proposes that the existing (and rapidly expanding) Registered Traveler airport-based biometric verification infrastructure be employed to capture the biometrics of aliens as they exit the United States through U.S. airports, as required by US-VISIT.

Implementing the exit portion of US-VISIT at U.S. airports (in addition to sea and land ports) has proven to be a substantial challenge. In fact, since 2003, DHS has allocated about one-quarter of a billion dollars to exit-related efforts, but the exit portion of US-VISIT still doesn't exist. The DHS proposal that is the subject of these comments directs airlines to handle US-VISIT air exit. Unsurprisingly, the airlines strenuously object to this new burden, arguing that DHS should shoulder it, not the airlines.

A solution, however, is at hand. As a result of the growing Registered Traveler program, biometric capture capacity for departing passengers already exists at the security checkpoints of several of the U.S.'s largest international airports (including JFK, Newark, Denver, Washington Dulles and San Francisco), and this capacity is rapidly being added to many others. Registered Traveler service providers have worked – and continue to work – successfully with their host airports and local TSA staff to locate the biometric capture/verification kiosks immediately before the security checkpoints. And, this capacity is being added at no cost to the government, airports or airlines. It is worth noting that Clear's verification kiosks already have the ability to print receipts and or a separate boarding pass that would demonstrate that a person has complied with the requirement to provide biometrics.

Rather than force an unpopular change in the airline check-in process, DHS should work with the airlines and airports to capitalize on the proven Registered Traveler infrastructure and planning process to achieve US-VISIT air exit quickly and efficiently. Clear would charge a small transit toll of perhaps 75 cents per US-VISIT air exit biometric capture to reflect incremental US-VISIT costs. This charge could be paid by

DHS or by airlines which have been appropriately subsidized by DHS. The charge represents a substantial discount on the per capture cost that would be associated with a program that had to be built from scratch. And, of course, this proposed solution could be launched much sooner than a program that had to be built from scratch.

The proposed US-VISIT air exit infrastructure could also be easily expanded, and managed by the private sector, as it grows beyond airports where Registered Traveler is operational. A Registered Traveler lane is not a prerequisite but provides for an efficient, rapid rollout to demonstrate success and ensures expertise in management and service issues.

We note further that there is a unique opportunity to harmonize this proposed solution with Global Entry, Registered Traveler and Secure Flight. If aliens were permitted to enroll in Global Entry and Registered Traveler (having first been vetted by their home country and by CBP/TSA), they would not only have access to automated border control upon arriving in the United States but would be able to use a kiosk upon exiting the United States that would capture their biometrics for US-VISIT air exit purposes and verify their vetted status for Secure Flight purposes as well as for access to the Registered Traveler security checkpoint lane. Similarly, they could take advantage of Registered Traveler lanes as they travel throughout the country.

In short, for US-VISIT air exit, the Registered Traveler infrastructure and model provides a secure system (as TSA has already vetted and approved the technical specifications), a proven system (as Registered Traveler has already conducted more than 1,000,000 biometric verifications at airport security checkpoints), an efficient system (as substantial infrastructure has already been installed at no cost to the government), and significant customer service benefits (as the more than 150,000 current Registered Traveler enrollees will attest to).