



BEFORE THE DEPARTMENT OF HOMELAND SECURITY  
WASHINGTON, DC

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IN THE MATTER OF

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")

8 CFR Parts 215, 217, 231, and 235  
19 CFR Parts 4 and 122  
RIN 1601-AA34  
[DHS-2008-0039]

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**Request by the  
International Air Transport Association (IATA)  
for a 60 day extension of the comment period**

On April 24, 2008, the Department of Homeland Security (DHS) proposed to establish an exit program at all air and sea ports of departure in the United States. This proposed rule would require aliens who are subject to United States Visitor and Immigrant Status Indicator Technology Program (US-VISIT) biometric requirements upon entering the United States to provide biometric information to commercial air and vessel carriers before departing from the United States at air and sea ports of entry.

The NPRM provides only 60 days, until June 23, 2008, for the public to comment on this rulemaking. IATA respectfully requests an additional 60 days to submit comments regarding this NPRM, citing the following factors:

- The NPRM asks for detailed comments on “ discrete elements of the proposal, including on-point operational and financial data and the potential economic and business impacts from performance standards proposed under this rule.” 73 Fed Reg. 22066. It is unrealistic to expect IATA or the 78 IATA airlines directly impacted by the rule to be able to complete this comprehensive analysis in the 60 days provided.
- In addition to analyzing the NPRM proposal, DHS has asked the public to propose other ways to efficiently collect this biometric information. We cannot reasonably solicit, aggregate, analyze and submit those suggestions within the 60-day time frame.
- While there have been general discussions about the U.S. Exit program for some time, the April 24 NPRM was the first opportunity for IATA and its members to review the details of the DHS proposal. Many of the impacted airlines have non-English speaking managers with little experience with the U.S. regulatory process. It is unreasonable to expect those airlines to provide meaningful comments on a proposal for a complex airline-funded program within the 60-day time frame.
- The NPRM as drafted raises a number of technical, business, legal and privacy issues, all of which must be carefully analyzed before comments can be submitted. Further, complex privacy and legal issues will need to be fully researched both in the U.S. and within our members’ particular jurisdictions. We cannot do this enormous task justice within the 60-day time frame.

- The NPRM suggests that this U.S. Exit system would cost the airlines between \$3.6 and \$6.1B. IATA believes that this is an unrealistically low estimate of the true cost of the program as envisioned. It is therefore imperative that DHS have the benefit of our comprehensive financial analysis of the proposed system. We cannot complete this task within the 60-day time frame.

We recognize that DHS is under an obligation to address their responsibilities under U.S. Exit in a timely fashion. While we appreciate the fact that a 60-day extension will put added pressure on these Congressional deadlines, it is imperative that IATA and its member airlines have the opportunity to provide DHS with its best analysis of this highly complex issue.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Douglas Lavin". The signature is written in a cursive, flowing style.

Douglas Lavin  
Regional Vice President, North America  
International Air Transport Association

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