

GAO Highlights

Highlights of [GAO-13-683](#), a report to congressional requesters

Why GAO Did This Study

Each year, millions of visitors come to the United States legally on a temporary basis either with or without a visa. Overstays are individuals who were admitted legally on a temporary basis but then overstayed their authorized periods of admission. DHS has primary responsibility for identifying and taking enforcement action to address overstays. In April 2011, GAO reported on DHS's actions to identify and address overstays and made recommendations to strengthen these processes. DHS concurred and has taken or is taking steps to address them. DHS has also reported taking further actions to address overstays.

GAO was asked to review DHS's progress since April 2011. This report addresses (1) DHS's efforts to review its records to identify potential overstays, (2) the extent to which DHS's changes in its systems or processes have improved data on potential overstays and DHS's ability to report overstay rates, and (3) the extent to which DHS has made progress toward establishing a biometric exit system. GAO analyzed DHS overstay data and documents—such as those related to the overstay identification processes and biometric exit plans—and interviewed relevant DHS officials.

What GAO Recommends

GAO recommends that DHS assess and document the reliability of its data, and establish time frames and milestones for a biometric air exit evaluation framework. DHS concurred with the recommendations.

View [GAO-13-683](#). For more information, contact Rebecca Gambler at (202) 512-8777 or gambler@gao.gov.

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OVERSTAY ENFORCEMENT

Additional Actions Needed to Assess DHS's Data and Improve Planning for a Biometric Air Exit Program

What GAO Found

Since April 2011, the Department of Homeland Security (DHS) has taken action to address a backlog of potential overstay records that GAO previously identified. Specifically, DHS reviewed such records to identify national security and public safety threats, but unmatched arrival records—those without corresponding departure records—remain in DHS's system. GAO had previously reported that, as of January 2011, DHS had a backlog of 1.6 million unmatched arrival records that had not been reviewed through automated or manual processes. DHS tracks arrivals and departures and closes records for individuals with matching arrival and departure records. Unmatched arrival records indicate that the individual is a potential overstay. In 2011, DHS reviewed this backlog of 1.6 million records, closed about 863,000 records, and removed them from the backlog. As new unmatched arrival records have accrued, DHS has continued to review all of these new records for national security and public safety concerns. As of June 2013, DHS's unmatched arrival records totaled more than 1 million.

DHS has actions completed and under way to improve data on potential overstays and report overstay rates, but the effect of these improvements is not yet known. Further, DHS continues to face challenges in reporting reliable overstay rates. DHS has streamlined connections among databases used to identify potential overstays. However, these improvements do not address some underlying data quality issues, such as missing land departure data. Federal law requires DHS to report overstay estimates, but DHS or its predecessor has not regularly done so since 1994. In April 2011, GAO reported that DHS officials said that they have not reported overstay rates because DHS has not had sufficient confidence in the quality of its overstay data. In February 2013, the Secretary of Homeland Security testified that DHS plans to report overstay rates by December 2013. However, DHS has not assessed or documented improvements in the reliability of data used to develop overstay estimates, in accordance with federal internal control standards. Without such a documented assessment to ensure the reliability of these data, decision makers would not have the information needed to use these data for policy-making purposes.

Developing and implementing a biometric exit capability to collect biometric data, such as fingerprints, which is required by federal law, has been a long-standing challenge for DHS. In May 2012, DHS internally reported recommendations to support the planning for a biometric exit capability at airports—DHS's priority for biometric exit capabilities—that could also be implemented at seaports in the future; however, as of June 2013, DHS's planning did not address a biometric exit capability at land ports of entry. DHS officials stated that the department's goal is to develop information and report to Congress about the benefits and costs of biometric air exit options before the fiscal year 2016 budget cycle. Standard practices for project management state that time frames should be documented as part of the planning process; however, DHS has a high-level plan for a biometric air exit capability, and it does not clearly define the steps, time frames, and milestones needed to develop and implement an evaluation framework, as recommended in DHS's May 2012 report. Without robust planning that includes time frames and milestones, DHS does not have reasonable assurance that it will meet its time frame for developing and implementing an evaluation framework.