



Homeland
Security

MEMORANDUM FOR COMPONENT HEADS

From: John F. Kelly

A handwritten signature in black ink, appearing to read "John F. Kelly".

MAY 24 2017

Subject: DHS Biometrics Expansion for Improved Identification and Encounter Management

The Department of Homeland Security (DHS) currently collects biometrics¹ in a number of contexts, including from: aliens seeking admission at ports of entry; aliens seeking immigration benefits (or protection from removal) or during removal proceedings; apprehensions; individuals applying for trusted traveler benefits and credentials enabling access to sensitive areas of the Nation's transportation system or critical infrastructure; and other individuals positively identified for law enforcement purposes. As biometric collection capabilities and technologies advance, DHS should leverage these capabilities to improve identity resolution in support of its screening and vetting activities, while ensuring privacy and civil rights and civil liberties protections.

Under current regulation and policy, within the DHS immigration context, biometrics are generally collected from individuals who are between 14 and 79 years old.² Expanding the age of the population subject to biometric collection while also increasing the use of multimodal³ biometric collection techniques for all immigration missions, *where operationally required by the Component or Office and technically feasible*, would enable the Department to manage risk more effectively, respond to threats, and enable safe and secure processing of individuals in DHS custody (e.g., unaccompanied alien children, smuggling victims). By way of example, in FY 2016 alone, the Border Patrol apprehended tens of thousands of minors under the age of 14. Biometric collection from all individuals encountered by the Border Patrol would assist in identifying trafficking/smuggling perpetrators and victims and, as appropriate, prompt further law enforcement action and humanitarian action.

¹ DHS Lexicon: A biometric is a method of identification based on biological (anatomical and physiological) and behavior characteristics. Examples include: finger, face, iris, voice, and DNA.

² Example: When the US-VISIT program was created, DHS decided, through regulation, to limit the biometric collection requirement to aliens between the ages of 14 and 79 who appear at a port of entry and otherwise meet the criteria established in the regulations. 8 C.F.R. 235.1 (f)(1)(iv)(A).

³ Multimodal biometrics can include any combination of biometrics used collectively to increase overall matching performance. Most Components have used only fingerprint recognition combined with the visual inspection of photographs.

Following this change of policy and, where required, amending relevant regulations, Components and Offices will not have to use age as the basis for determining when to collect biometrics. For all immigration and other relevant DHS missions, expanding the age of the population subject to biometric collection and/or expanding the use of multimodal biometrics is encouraged to the degree that they meet the policy and operational requirements of the Components and Offices responsible for executing those missions.

To the extent permitted by law and in compliance with all applicable civil rights and civil liberties and privacy policies and protections, and where technically and operationally feasible, I hereby direct:

- 1) DHS Components and Offices to enhance biometric collection practices to improve identity resolution and encounter management in support of the Department's various screening and vetting activities;
- 2) The DHS Office of Policy (PLCY)/Screening Coordination Office (SCO), working with Components and Offices, to identify opportunities to enhance biometric collection policies and practices in support of the Department's mission; and,
- 3) MGMT to work with DHS OGC, PLCY/SCO, PRIV, CRCL, Component leadership, and other applicable agencies, to amend relevant regulations and fund resulting changes in operations as a result of this policy and these directives.