Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528

Homeland Security

September 18, 2017

Ms. Lisa Sotto
Chair
DHS Data Privacy and Integrity Advisory Committee (DPIAC)
c/o Hunton & Williams, LLP
200 Park Avenue
New York, New York 10166

The Department of Homeland Security (DHS or Department) missions include preventing terrorism and enhancing security; managing our borders; administering immigration laws; securing cyberspace; and ensuring disaster resilience. Protecting the American people from terrorist threats is our founding principle and our highest priority. To achieve its mission, DHS collects a significant amount of sensitive personally identifiable information (SPII) from individuals who interact with the Department. For example, CBP uses biometric technology to verify the identity of individuals arriving and departing the United States. As CBP adopts new biometric modalities to improve the accuracy and increase the efficiency of its operations, novel privacy issues arise.

I request that the DPIAC provide written guidance on best practices for the use of biometrics, specifically facial recognition technology, for identification purposes. Specifically, I ask that the Committee address the following:

- How can CBP provide adequate and meaningful notice in both airport and land border environments to individuals regarding the collection of biometrics from new populations and at exit, where most travelers have not typically encountered CBP in the past?
- Facial matching algorithms have often proven less accurate with certain demographic groups. What are business standard measurements for ensuring facial recognition accuracy across all demographics? Please provide recommendations for matching against a small fixed gallery (one-to-few) as well as a large general gallery (one-to-many).
- It is extremely resource consuming for trained CBP Officers to operate the cameras at the boarding gates; how can CBP best leverage private industry to facilitate this collection? What sort of data protections should the government pursue with private industry?
- Are there standards or guidance CBP should take into consideration when determining how long a photo is useful and reliable for facial recognition purposes? How might that range may vary depending on the age of the subject (for example, how does the reliability of a match based on a photo of a 15-year old who is now 24 compare to an old photo of an older adult)?

Please do not hesitate to contact my office if we can provide any assistance to you as the Committee undertakes this tasking.

Sincerely,

Philip S. Kaplan
Chief Privacy Officer