The Honorable Ron Wyden  
United States Senate  
Washington, DC 20510

Dear Senator Wyden:

Thank you for your July 27, 2018 letter regarding the use of facial recognition technologies. At this time, U.S. Immigration and Customs Enforcement (ICE) has limited facial recognition capabilities throughout the course of enforcement activities via U.S. Customs and Border Protection’s (CBP) Automated Targeting System-Passenger (ATS-P) and the U.S. Department of State’s (DOS) Consular Consolidated Database (CCD). These systems allow for searches against photographs submitted by non-immigrant visa applicants, which are conducted in support of investigative activities. As ATS-P and CCD are owned and maintained by CBP and DOS respectively, ICE does not conduct audits of these systems; however, ICE’s usage of these systems is monitored by CBP and DOS.

ICE notes that under its Alternatives to Detention Intensive Supervision Appearance Program III (ATD – ISAP III), a new form of contractor-owned technology has been introduced that uses facial recognition software known as SmartLINK. This application provides a suite of services for use by the assigned participant, and uses facial recognition software for positive identification as opposed to telephonic voice recognition or the use of a GPS ankle monitor. To use the facial recognition function, the participant aligns their face with an image on the screen of their smartphone and takes the picture themselves; a process that is similar to a mobile deposit function for a bank. The image is then matched against a single image of the participant taken at the time of enrollment for verification purposes.

It should be noted that ICE does not share the participant images collected through the SmartLINK application with any other agency, nor does it capture any images beyond where an individual takes their own picture. To be clear, it is not a live or active system. ICE has found SmartLINK to be an effective use of this technology due to its high level of accuracy, as it has decreased officers’ time in verifying identifications and false positives.

www.ice.gov
Thank you again for your letter and your interest in this important matter. The co-signers of your letter will receive separate, identical responses.

Sincerely,

[Signature]

Ronald D. Vitiello
Deputy Director and
Senior Official Performing the Duties of the Director