Freeze Expansion of the HART Database

Project aims to spend $4.3 billion on invasive new biometrics that impact millions of immigrants and US citizens

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The Department of Homeland Security (DHS) is planning to invest $4.3 billion dollars to build a massive, invasive biometrics collection database called the Homeland Advanced Recognition Technology (HART) to replace its current database, the Automated Biometric Identification System (IDENT).¹ HART will be on a data platform hosted by Amazon Web Services and interoperable with biometric databases operated by the Departments of Justice, State and Defense, and accessible to state and local government and several foreign governments.

HART is an unprecedented step forward in DHS’ surveillance capabilities. It will store a trove of sensitive personal information about individuals, ranging from their biometric information like facial recognition data, digital fingerprints, iris image, palmprint, voice print, and DNA, to their political affiliations, religious activities, and relationship patterns. The HART database will make it possible to identify and track people in real time - which chills people’s ability to exercise their rights to protest, assemble, associate, and to live their daily lives.² It will also greatly expand DHS’ ability to locate individuals for immigration enforcement, including raids and deportations.

At the same time, the GAO recently found systemic technical, operational, and budgetary issues in HART. Continuing with HART’s development and deployment in 2022 is extremely problematic and Congress should freeze funding at this time.

Background

HART will contain information from “millions of applicants and petitioners seeking immigration benefits.” Currently, when individuals apply for immigration benefits such as a green card or DACA, ICE runs their biometrics, including fingerprints, through IDENT to see if they have had a previous interaction with law enforcement. HART’s architecture and storage offers the potential to contain many more types of biometric at a scale that exceeds other biometric databases in the United States. HART analysts will verify biometric information. DHS plans for HART to be integrated with the National Vetting Center.³ Moreover, UNHCR is acquiring sensitive information from refugees and feeding it into HART.⁴

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The DHS Office of Biometric Identity Management (OBIM), which is building HART, recognizes an individual may not be aware that biometrics collected during an application for an immigration benefit can be stored in HART and shared with other HART users, and that this privacy risk cannot be mitigated.\(^5\) Accuracy of the data and impact on civil liberties is another significant concern—OBIM recommends, rather than requires, that the original data owner ensure the accuracy, completeness, and quality of the data.\(^6\) HART users include DHS sub-agencies such as USCIS, ICE and CBP; the Departments of Justice, State and Defense; and several foreign governments through information sharing agreements, including Mexico, El Salvador, Guatemala, Honduras, the Dominican Republic, Jamaica and the Bahamas. Local and state governments will also have access to HART.

HART is scheduled to be rolled out in four increments:

- **HART Increment 1** includes migration to AWS GovCloud and provides biometric matching capability based on fingerprint, face and iris, as well as Social Security number and A-Number.

- **HART Increment 2** will provide unspecified additional biometric capabilities to HART. USCIS intends to collect voice prints and DNA for all applicants under the pending rule change, if it is approved. USCIS is migrating to a person-centric identity and information management system\(^7\) that will include iris, voice and facial prints. USCIS is also a pre-screener for UNHCR for refugees through a FY19 MOU.

- **HART Increments 3 and 4** will include a web portal and user interface capability, support for additional modalities, and improved reporting tools, and provide increased interoperability with agency partners.

**Implications of HART**

HART goes far beyond the existing capacity to cross-reference applicants’ fingerprints and photographs when necessary. It would create a massive invasive catalog of the diverse physical characteristics of millions of U.S. residents and people outside the United States. HART would include biometrics that have been shown to be unreliable, such as facial recognition; others in experimental stages, such as voice prints; and biometrics like DNA collection that also present serious ethical concerns.

HART will also pose threats to the rights of immigrants who may benefit from immigration legislation. The rollout of status regularization will have severe unintended consequences for privacy and civil


\(^6\) US DHS HART Increment 1 Privacy Impact Assessment (PIA), DHS/OBIM/PIA-004 (February 24, 2020), 22

liberties if HART biometric collection is expanded as part of the initiative. Now that the Biden-Harris administration has announced its plan to provide a pathway to citizenship for 11 million people, Dreamers, TPS holders and immigrant farmworkers may qualify immediately for green cards if they are working, in school or meet other requirements. By signing up for regularization of status under the proposed U.S. Citizenship Act of 2021, individuals would not just be submitting fingerprints for a background check, but unknowingly and involuntarily submitting a potentially broad array of biometric data, including new and experimental modalities, to agencies including ICE, CBP, the FBI and other intelligence agencies, and foreign governments.

**HART Funding: Follow the money**

HART’s lifecycle cost is expected to exceed $4 billion. Over the last few years, Congress has appropriated close to $200 million every year. In FY 2021, Congress appropriated $183,000,000 for HART, including $29,000,000 for new procurement, construction, and improvement.

According to the GAO, the creation and deployment of HART has been plagued with cost and operational breaches. GAO identified that HART carries “technical risks” that the primary contractor, Northrup Grumman, was not able to address. Despite the hundreds of millions appropriated to HART, it has failed to meet operational deliverables and scheduled milestones. It is deeply concerning that the HART program is being built without a full review of the systemic problems underlying its architecture.

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