From: HSI Division 2 Tasking
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To: #HSI-TOC1-All-Personnel;#HSI-TOC2-All-Personnel
Cc: (b)(6); (b)(7)(C) HSI Division 2 Tasking
Subject: Broadcast- Facial Recognition Systems Policy and Clearview AI

HSI HOMELAND SECURITY INVESTIGATIONS

Message from the AD of Operational Technology and Cyber Division

Facial Recognition Systems Policy and Clearview AI

Homeland Security Investigations (HSI) recently authorized the use of agency-approved Facial Recognition Systems (FRS), including Clearview AI, to support certain types of criminal investigations that meet specific, defined parameters. HSI Policy mandates that these tools only be used for authorized law enforcement purposes, which requires that their use is either relevant and necessary to an ongoing investigation related to HSI's statutory authorities, or part of an established HSI program or task force whose use of facial recognition has been assessed for its impacts on privacy, civil rights, and civil liberties.

Prior to using an FRS, HSI must first use reasonable efforts to identify, locate, or verify an individual through traditional investigative means and methods, and certify through the Performance and Learning Management System (PALMS) that they:

- Have completed the PALMS "ICE Use of Facial Recognition Services" course, approved by HSI and the ICE Office of Information Governance and Privacy;
- Will use best practices, outlined in the PALMS training, when collecting probe photos, submitting photos to an FRS, and using candidate lists returned from an FRS; and
- Will abide by the privacy, civil rights, and civil liberties safeguards set forth in the training and the Privacy Impact Assessment (PIA), and the Memorandum on the Use of and Access to Third-Party Facial Recognition Systems.

Any search resulting from an FRS must be treated only as an investigative lead and cannot be relied upon as a sole source of identification. Users must compare any results with other information obtained through traditional means and methods