

May 27, 2016

Ms. Erika Brown Lee  
U.S. Department of Justice  
Privacy & Civil Liberties Office  
Attn: Privacy Analyst  
1331 Pennsylvania Ave. NW, Suite 1000  
Washington, D.C. 20530001

Re: The Necessity of a 30-day Extension of Time to Submit Comments Regarding  
Proposal to Exempt the Next Generation Identification System from Key Provisions  
of the Privacy Act (CPCLO Order No. 003-2016) and the Next Generation  
Identification System of Records Notice (CPLCO Order No. 002-2016)

Dear Ms. Brown Lee:

We are a coalition of civil rights, human rights, immigrant rights, privacy, and  
transparency organizations and companies that are deeply concerned about the Federal Bureau of  
Investigation's Next Generation Identification (NGI) system. We urge the Department of  
Justice to grant the public more transparency and oversight into the NGI system that it is designed to protect.

The NGI system uses some of the most advanced surveillance technologies known to  
humankind including facial recognition, iris scans, and fingerprint recognition. It runs on a  
database holding records on millions of Americans, including millions who have never been  
accused of a crime. While the database is partially built using mugshots and arrest records  
submitted by state and local law enforcement agencies, it also includes the fingerprints and  
photos of people getting background checks and people applying to become permanent  
residents or naturalized citizens.

As a result, the NGI system may not affect everyone equally. Instead, it likely includes a  
disproportionate number of African Americans, Latinos, and immigrants. This is a problem from  
a technical perspective, as a body of research including research authored by FBI personnel  
suggests that some of the biometrics at the core of NGI, like facial recognition, may misidentify  
African Americans, young people, and women at higher rates than whites, older people, and  
men, respectively.

The likely disparate impact of NGI is not limited to facial recognition. Arrest records in  
NGI often fail to indicate w



American Library Association  
Amnesty International USA  
Arab American Institute  
Bill of Rights Defense Committee / Defending Dissent Founda  
Center for Democracy & Technology  
Center for Digital Democracy  
Center for Media Justice  
Center on Privacy & Technology at Georgetown Law  
ColorofChange.org  
Constitutional Alliance  
The Constitution Project  
Consumer Action  
Consumer Watchdog  
Council on American Islamic Relations  
Data & Society  
Demand Progress  
Electronic Frontier Foundation  
Electronic Privacy Information Center (EPIC)  
Free Press  
Fight for the Future  
Immigrant Defense Project  
Immigrant Legal Resource Center  
Lyft  
Media Mobilizing Project  
MPower Change  
National Association of Criminal Defense Lawyers  
National Council of La Raza  
National Day Laborer Organizing Network  
National Employment Law Project  
National LGBTQ Task Force  
National Immigrant Justice Center

OpenTheGovernment.org

Privacy Times

Raising Asian Immigrant Stories on the East Coast

R Street Institute

Sunlight Foundation