



ART Statement on ICE Visa Lifecycle Vetting

March 22, 2018

The
**Archivists
Round Table**
of Metropolitan
New York,
Inc.

Dear Member of Congress:

The Archivists Roundtable of Metropolitan New York (ART), representing a diverse group of more than 400 archivists, librarians, and records managers in the New York metropolitan area, is writing to collectively urge you to stop the Department of Homeland Security's (DHS) Visa Lifecycle Vetting plan, which aims to use social media monitoring to automatically flag 10,000 people annually—inside the country and abroad—for deportation investigations and visa denial. Formerly known as the "Extreme Vetting Initiative," the Visa Lifecycle Vetting plan represents the U.S. Immigration and Customs Enforcement (ICE) efforts to monitor Twitter, Facebook, LinkedIn, and the rest of internet¹ to automatically identify people for deportation or visa denial based on the exact criteria from the Executive Order 13769 (widely known as the "Muslim ban"). This initiative will undermine civil liberties and free speech, the cornerstones of our democracy.

Executive Order 13769 called for the vetting of all travelers to the U.S. to determine whether they would contribute to American society, further national interests, or intend to commit crimes or terrorist acts.² However, no legal definition exists for what it means to "contribute to society", and further, all individuals entering the U.S. already submit to extensive background checks.³ Through the Visa Lifecycle Vetting plan, ICE aims to continuously scan media publications, blogs, public hearings, conferences, and academic websites, in addition to social media outlets already mentioned, to monitor and determine who fails to meet ICE's arbitrary criteria. The ambiguity behind this language shrouds highly political decisions behind a seemingly objective algorithm. This kind of surveillance will thwart the ability of flagged

¹ ICE-HSI, "Background," June 12, 2017, available at FedBizOpps.Gov ("Task 3: Social Media Exploitation.") (accessed March 1, 2018).

² Exec. Order No. 13769, 3 C.F.R. (2017).

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³ Department of Homeland Security, United States Citizenship and Immigration Services, Background and Security Checks - Chapter 2, Part B, Volume 12, <https://www.uscis.gov/policymanual/HTML/PolicyManual-Volume12-PartB-Chapter2.html> (accessed March 1, 2018).

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individuals to provide either context or an explanation for online content or connections, and thus cause Americans and foreign nationals to censor themselves online.

Put more plainly, we believe that the Visa Lifecycle Vetting plan simply will not work. According to a letter to DHS, signed by 54 of the nation’s leading experts in machine learning and automated decision-making, “no computational methods can provide reliable or objective assessments of the traits that ICE seeks to measure.”⁴ Automated vetting will fail to account for the highly context-dependent meaning of content posted on social media.

Further, it appears that ICE, in selecting a vendor to deploy the auto-vetting technology, values quantity of returns over quality of data, stating that the contract must “generate a minimum of 10,000 investigative leads annually,”⁵ while ignoring the faulty basis of the data gathering apparatus. As information professions, we oppose the haphazard, arbitrary use of data to draw broad conclusions with potentially disastrous outcomes (e.g. machine learning experts have concluded even the most accurate possible model would generate significant numbers of false positives – “innocent individuals falsely identified as presenting a risk of crime or terrorism who would face serious repercussions not connected to their real level of risk.”)⁶

ART is comprised of individuals who recognize the importance of equality, diversity, inclusion, and transparency in our profession and communities. ART is joined in its protest against the Visa Lifecycle Vetting plan by the Concerned Archivists Alliance (CAA), a loose collective of more than 800 archivists, information professionals, and students in the United States and beyond, that are committed to freedom of information, the protection of privacy rights, and to holding public officials accountable for their actions. ART and CAA believe, regardless of our various social and

⁴ Letter from 54 Technology Experts to Hon. Elaine Duke, Sec’y of Homeland Security, Nov. 16, 2017, available at <https://www.brennancenter.org/sites/default/files/Technology%20Experts%20Letter%20to%20DHS%20opposing%20the%20Extreme%20Vetting%20Initiative%20-%202011.15.17.pdf>. (accessed March 1, 2018).

⁵ ICE-HSI, “Background,” June 12, 2017, available at https://www.fbo.gov/?s=opportunity&mode=form&tab=core&id=ee93bcc8a389d539fd9b927ec53dd2be&_cvview=0 (accessed March 1, 2018).

⁶ Letter from 54 Technology Experts to Hon. Elaine Duke, Sec’y of Homeland Security, Nov. 16, 2017, available at <https://www.brennancenter.org/sites/default/files/Technology%20Experts%20Letter%20to%20DHS%20opposing%20the%20Extreme%20Vetting%20Initiative%20-%202011.15.17.pdf>. (accessed March 1, 2018).



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political views, we can come together democratically, as an inclusive and informed citizenry, to reject any acts of hate, discrimination, and intimidation, such as those permitted by the Visa Lifecycle Vetting plan. This plan represents, at best, an incredibly flawed data mining initiative, and at worst, a repressive mode of government surveillance under the guise of efficiency and objectivity.

This Visa Lifecycle Vetting plan will fail to create a more secure country and society, and will destabilize the freedoms that define American democracy.

Sincerely,

ART Board of Directors

Concerned Archivists Alliance (CAA)

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