



## Chapter 2 - Biometrics Collection

### Guidance

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### A. Application Support Center Appointments

After a person files an application, petition, or other benefit request, USCIS schedules a biometrics appointment at a local Application Support Center (ASC).<sup>[1]</sup> The appointment notice (Notice of Action (Form I-797C)) indicates the date, time, and location of the ASC appointment. The person submitting biometrics must bring the Form I-797C and valid, unexpired photo identification (for example, Permanent Resident Card (Form I-551), passport, or driver's license) to the appointment, if required.<sup>[2]</sup> Generally, if a person requests an exemption from the collection of a particular biometric modality, that request must be made at the ASC during the scheduled appointment.

USCIS considers a person to have abandoned his or her application, petition, or request if he or she fails to appear for the biometrics appointment unless, by the appointment time, USCIS receives a change of address or rescheduling request that it concludes warrants excusing the failure to appear.<sup>[3]</sup>

### B. Mobile Biometrics Collection

USCIS provides mobile biometrics services for those with a disability or health reason that renders them unable to appear in person.<sup>[4]</sup> In other very limited circumstances, USCIS may in its sole discretion provide mobile biometrics services for those who are unable to attend scheduled ASC appointments in person.<sup>[5]</sup>

#### *Persons in Custody*

USCIS does not grant requests to collect biometrics from persons in custody at correctional institutions. USCIS officers and contract staff therefore do not travel to jails, prisons, or similar non-Department of Homeland Security (DHS) detention facilities to perform biometric collections for any detained or incarcerated persons (including applicants, petitioners, beneficiaries, derivatives, sponsors, or other requestors, regardless of their immigration status or country of citizenship). In the case of an incarcerated person, USCIS officers must continue to follow all applicable regulations and procedures in issuing ASC notices to those whose appearance is required for biometrics collection. Per intradepartmental agreement, U.S. Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) is responsible for completing background and security checks for those who are incarcerated at DHS facilities and applying for benefits with USCIS.

USCIS generally does not approve requests to reschedule a biometrics appointment for reason of detention or incarceration. The person must follow the procedures listed in the biometrics appointment notice to request their appointment be rescheduled.<sup>[6]</sup>

### C. Fingerprint Waivers

A person may qualify for a waiver of the fingerprint requirement if he or she is unable to provide fingerprints because of a medical condition,<sup>[7]</sup> including but not limited to disability, birth defects, physical deformities, skin conditions, and psychiatric conditions.<sup>[8]</sup> Only certain USCIS employees are authorized to grant a fingerprint waiver.

A USCIS employee responsible for overseeing a person's fingerprinting may grant the waiver if all of the following requirements are met:

- The applicant, petitioner, beneficiary, sponsor, derivative, requestor, or individual person filing or associated with a benefit request appeared in person for the biometrics collection;
- The officer or authorized technician attempted to fingerprint the person (or determined that such an attempt was impossible); and
- The officer determines that the person is unable to be fingerprinted at all or is unable to provide a single legible fingerprint.

A USCIS employee should not grant a waiver if the waiver is solely based on the following situations:

- The person has fewer than 10 fingers;
- The officer considers the person's fingerprints as unclassifiable; or
- The person's condition preventing the fingerprint collection is temporary.

If a fingerprint waiver is granted, the waiver is valid only for the particular application(s), petition(s), or benefit request(s) listed on the ASC notice for which biometrics are collected. The person must request a fingerprint waiver for each individual application, petition, or benefit request subsequently filed if the subsequent filing has a biometrics collection requirement.

A person who is granted a fingerprint waiver must bring local police clearance letters or other form-specific documentation<sup>[9]</sup> covering the relevant periods to the interview. All clearance letters become part of the record. In cases where the person is granted a fingerprint waiver or has two unclassifiable fingerprint results, USCIS must take a sworn statement from the person covering the relevant periods.

USCIS' decision to deny a fingerprint waiver is final and may not be appealed.

## D. Biometrics Collected [Partially Reserved]

### 1. Fingerprints [Reserved]

### 2. Photographs

USCIS imbeds a photograph when creating secure documents as a security feature.<sup>[10]</sup> There are instances where USCIS requires a photograph be submitted with an application, petition, or request in order to create a secure document and the application, petition, or request does not have an associated biometrics collection requirement.<sup>[11]</sup> Where the applicant, petitioner, or requestor fails to submit a photograph at time of filing, USCIS may issue a Request for Evidence.

### 3. Signatures [Reserved]

## Footnotes

1. [^] Requestors residing overseas may be fingerprinted by USCIS officers overseas, a U.S. consular officer at a U.S. embassy or consulate, or at a U.S. military installation abroad. An exception to the requirement to collect new biometrics exists in the case of military naturalization. For military naturalization cases, a biometric background check must be performed, but USCIS may use previously collected fingerprints from a different immigration filing or may use fingerprints collected as part of enlistment processing to perform the check.

2. [^] For more information on how to prepare for a biometrics appointment, see the [Preparing for Your Biometrics Services Appointment](#) web page.

3. [^] See [8 CFR 103.2\(b\)\(13\)\(ii\)](#).

4. [^] The USCIS website provides a definition of the term [accommodation](#); mobile biometrics is only one subset of accommodations. See the USCIS website for information on [Disability Accommodations for the Public](#).

5. [^] Please see the [USCIS Contact Center](#) web page.

- 6. [^] If the person is no longer in custody, he or she must also submit a change of address request on an Alien’s Change of Address Card (Form AR-11) for the appointment to be rescheduled at the new address.
- 7. [^] The regulations at 8 CFR 204.3(c)(3) allow USCIS to waive the fingerprint requirement for prospective adoptive couples or additional adult members of the prospective adoptive parents’ household when it determines that such adult is “physically unable to be fingerprinted because of age or medical condition.” (Emphasis added.) As such, solely with respect to Petition to Classify Orphan as an Immediate Relative (Form I-600) and Application for Advance Processing of an Orphan Petition (Form I-600A) adjudications, USCIS must also consider whether the person is unable to be fingerprinted due to age in addition to medical condition.
- 8. [^] The officer responsible for overseeing fingerprinting may request that a licensed mental health professional (that is, a psychologist, psychiatrist, or similar practitioner) or a licensed medical practitioner who has responsibility for the person’s care submit reasonable documentation in accordance with the procedure laid out in Part A, Public Services, Chapter 6, Disability Accommodation Requests [1 USCIS-PM-A.6].
- 9. [^] For example, affidavits under 8 CFR 204.310(b) for an Application for Determination of Suitability to Adopt a Child from a Convention Country (Form I-800A) if the person is “physically unable to comply” with biometrics collection.
- 10. [^] For example, Permanent Resident Card (Form I-551) and Employment Authorization Document (Form I-766).
- 11. [^] See the relevant form instructions for more information.

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