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# Fingerprints don't change, but they do expire

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By Barry Newman, The Wall Street Journal

NEW YORK -- Good news for immigrants: If you're applying for a green card or for citizenship, the federal government is determined to stop notifying you that your fingerprints have "expired."

How do fingerprints expire? The official notices don't say. They just give applicants appointments to get fingerprinted again.

At an immigration office in downtown Brooklyn one Friday, scores of them sat on plastic chairs waiting to be called to a high-tech fingerprint station. For some, it would be their fourth time.

"I don't know why," said a woman from Poland, studying her hands. Behind her, two Orthodox Jews read prayer books. Above her, cartoons played on a television screen. "Maybe something happened with my fingers. They check, make sure everything is fine."

The official rationale isn't that intuitive, but it does peel back a corner of the electronic security blanket that the government is struggling to tuck around the U.S. immigration bureaucracy.

People who want to stay in America are fingerprinted to make sure they aren't criminals. Pre-computer, the Immigration and Naturalization Service carted its ink-on-paper prints to the Federal Bureau of Investigation. There, experts searched files for matches against the prints of known criminals, just as they would for prints left on martini glasses at crime scenes: narrowing them down through a series of ever-smaller categories that have been in use for more than a century. A name check wouldn't do; criminals change their names. Immigrants with clean records quickly got green cards. Then the FBI threw their paper fingerprints out.

Five years ago, fingerprint computers replaced ink and paper. But the computers had no significant storage capacity. They merely sent prints on phone lines to the FBI. The FBI checked the prints for criminal matches on its own new computers -- and deleted them. The reason was less technical than bureaucratic: Paper fingerprints were trashed in the past, why save digital fingerprints now?

After Sept. 11, 2001, the immigration service was folded into the Department of Homeland Security, and the time it took to grant or deny permanent residence to a foreigner kept growing longer. While waiting, applicants might commit crimes. Without double-checking the FBI's fingerprint files, immigration clerks would never know.

Wouldn't it be handy, the government realized, if those digital prints were stored after all? Retooling the system for storage took until 2003. The next step was to create a search program -- using images, not words -- to retrieve the prints. That component of the project isn't quite ready.

"The easy part was placing them in a repository," says William Yates, who runs this operation at U.S. Citizenship and Immigration Services, now part of the DHS. "The more difficult thing is a mechanism to allow those prints to be called back up. Right now, we don't have that capability."

So immigrants with applications bottled up in bureaucracy keep on reporting to be fingerprinted over and over. "It's stupid and it costs a huge amount of money," says Margaret Stock, a professor of national security law at West Point. "It doesn't make any sense if you realize that fingerprints don't change."

Taking fingerprints is an old routine when it comes to permanent immigrants. When it began, about 50 years ago, immigration clerks did the job. But after an amnesty for illegals unleashed a horde of green-card applicants in 1986, the chore was farmed out to private shops -- and fingerprints got out of hand.

"A criminal alien with his own ink pad could take someone else's prints and submit them as his own," the Justice Department reported in 1994. Hurrying through its paperwork, the immigration service often didn't wait to hear from the FBI. In 1996, it came out that tens of thousands of newly minted citizens had arrest records.

That was the end of private fingerprinting. The FBI has since computerized its files, and the immigration service has opened 130 special fingerprint offices. Under a \$370 million government contract signed in 1999, they are staffed and run by Vinnell Corp., a subsidiary of Northrop Grumman Corp. that specializes in logistical support and also happens to train the personal army of Saudi Arabia's royal family.

At the Brooklyn office, Sue Leichter, a Vinnell technician, was showing off the Identix Inc. "TouchPrint" scanner, with the help of a taxi driver from Morocco who was applying for a green card.

As Ms. Leichter pressed his fingers to a glass plate, the man's prints came up on a screen, loops and whorls in brilliant black and white. A box on the screen turned green, and the prints zipped to the FBI. The taxi driver preferred not to give his name, but he took his treatment in stride.

"It's my fourth time," he said.

Grinning at him, Ms. Leichter said, "Welcome back!"

The FBI now tells the immigration service in just a few days whether someone is under a criminal cloud. The immigration service, though, doesn't always put the final touches on its paperwork so speedily.

"It should take three hours," says Rajiv Khanna, an immigration lawyer in Virginia. "Do you know how much time it takes?"

The answer, in some parts of the country, is three years. The government is working mightily to reduce its chronic backlog. But often it can't work fast enough to beat an expiring fingerprint.

In three years, fingerprints expire twice. A set lasts just 15 months -- that is the rule.

An applicant is first fingerprinted after qualifying for a green card, which itself can take years. If it then takes more than 15 months for the immigration service to complete the paperwork and issue the card, the applicant is fingerprinted once more.

Those who go on to apply for citizenship are fingerprinted again. People seeking asylum often wait for at least a decade; every 15 months, they are fingerprinted.

The 15-month rule has been around for years. Not even Mr. Yates at the immigration service can explain it.

"It happened so long ago," he says. "There's no technical reason for it."

With computers that store and actually retrieve fingerprints, Mr. Yates imagines a day when fresh arrest records pop up on his screens daily, and fingerprints never expire again. Such seamless feedback from the FBI isn't even being planned, but it sure would have made Ali Al-Shankiti's passage to America less confusing.

He is a 29-year-old Saudi Arabian who came to the U.S. in 1993, earned three degrees, and now does research in wireless computer technology for a big company in Boston. In 2002, based on his job, he was cleared for a green card. On April 4, he was fingerprinted. His expiration notice came 15 months later.

"I'm not the most favored immigrant," Mr. Al-Shankiti says. "I do understand that. Still, I thought, how do fingerprints expire?"

On the day of his second fingerprinting appointment, he had to be away. He wrote in advance asking for another date. Months passed with no reply. On Aug. 26, 2003, Mr. Al-Shankiti went in unannounced.

"They were happy to print me," he says. But then came a letter with yet another fingerprinting appointment for Sept. 27.

Mr. Al-Shankiti went. A month later, he was told to come back again; it

seemed the FBI computer couldn't read his prints. So on Dec. 9, 2003, Mr. Al-Shankiti was fingerprinted for the fourth time.

For 18 months, he heard nothing else. Finally, he telephoned the immigration service to let a clerk know that his fingerprints had expired. This past Monday, he got a notice in the mail giving him an appointment on July 23 -- for his fifth fingerprinting.

Mr. Al-Shankiti is allowed to keep working, as long as the immigration service issues him an employment authorization card each year. The cards, designed to be forgery-proof, carry a photo and one fingerprint. Though Mr. Al-Shankiti has had several cards, his latest is strange. He is at a loss to explain it, and so is a spokesman for the Homeland Security Department.

The place on the employment card where his fingerprint belongs has a stamp instead. It says: "Fingerprint not available."

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