Global Immigration alert

November 2025

United States

DHS proposes to require submission of biometrics by any individual associated with an immigration benefit request

Executive summary

On 3 November 2025, the Department of Homeland Security (DHS) proposed a rule to amend its regulations governing the collection and use of biometrics in immigration processes. Specifically, DHS has proposed a universal biometrics requirement in which any applicant, petitioner, sponsor, supporter, derivative, dependent, beneficiary, or individual associated with an immigration benefit request (including US citizens, US nationals, and lawful permanent residents) would be required submit biometrics, regardless of age, unless DHS otherwise exempts the requirement.

DHS is also seeking to expand biometrics collection authority, establish an "extraordinary circumstances" standard to excuse failure to appear at a biometric services appointment, and clarify biometrics collection purposes. The department states the proposed rule would provide a more comprehensive biometrics system for all individuals involved in immigration processes, as well as improve identity management, enhance national security and public safety, reduce fraud, and streamline administrative procedures.

Background and analysis

The proposed rule would make biometrics collection broader, more technologically involved, and more central to identity management and fraud prevention in US immigration processes. Significant changes to the collection and use of biometrics would include, but are not limited to, the following:

Removal of age restrictions

- Currently, only certain applicants, petitioners, sponsors, or beneficiaries are required to submit biometrics, and often only for specific benefit types or enforcement actions. Individuals under the age of 14 and older than 79 are generally exempt from providing biometrics.
- Under the proposed rule, any individual – regardless of age - filing or associated with an immigration benefit request, other request, or collection of information must submit biometrics, unless specifically exempted.

Expanded types of biometrics collected

- Currently, biometrics collected by DHS typically include fingerprints, photographs, and signatures.
- Under the proposed rule, the definition of "biometrics" is expanded to include facial imagery, fingerprints and palm prints, handwritten signature, ocular imagery (iris, retina, and sclera), voice, and DNA (including a partial DNA profile).

Enhanced and continuous vetting

- Currently, biometrics are generally collected at the time of application or enforcement action, with more limited continuous vetting.
- Under the proposed rule, DHS may require individuals to submit biometrics more than once throughout the immigration lifecycle, and limit the circumstances under which existing biometrics may be reused, enabling ongoing or continuous vetting for national security.

Stricter standard for rescheduling appointments

- Currently, individuals can request to reschedule a biometrics appointment more than once for "good cause."

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- Under the proposed rule, a stricter "extraordinary circumstances" standard would apply for rescheduling after the first request. The first request to reschedule would be permitted for any reason, but any subsequent request would require proof of extraordinary circumstances.

Expanded list of individuals who must submit biometrics

- Currently, direct applicants, certain petitioners, or beneficiaries are usually required to submit biometrics in connection with a limited number of benefit requests.
- Under the proposed rule, the biometrics requirement would be expanded to include individuals more broadly associated with a benefit request, such as co-sponsors signing an affidavit of support.

What this means

DHS estimates that the proposed rule would expand the population required to submit biometrics by about 1.12 million people annually. This increase in volume may place additional pressure on Application Support Centers (ASCs) where biometrics are currently collected and related processing infrastructure, potentially leading to longer wait times for appointments and longer case processing overall, especially in the short term.

The use of new and expanded biometric modalities is likely to make the biometrics collection process more complex. In particular, DNA collection and processing may be more time-consuming given that it involves laboratory processing, which would also add to the processing time for certain cases. The proposed rule also notes that biometrics, other than DNA, may be shared by DHS with "appropriate Federal, State, and local law enforcement; intelligence community entities; and foreign governments, as authorized by law, international agreements, or other non-binding arrangements."

Further, the proposed stricter "extraordinary circumstances" standard increases the stakes for missed ASC appointments and may lead to more adverse case outcomes or potential denials if individuals cannot meet the new standard when they need to reschedule for a second or subsequent time.

Comments on the proposed rule must be submitted by 2 January 2026.

We will continue to monitor and share future developments. For additional information, or if you wish to discuss this further, please contact your EY Law LLP professional or Mehlman Jacobs LLP professional.

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