

not, create any rights or benefits, substantive or procedural, enforceable at law or in equity by a party against the United States, its departments, agencies, instrumentalities, or entities, its officers, employees, or agents, or any other person.

George W. Bush

The White House,
August 27, 2004.

[Filed with the Office of the Federal Register,
8:45 a.m., August 31, 2004]

NOTE: This Executive order will be published in the *Federal Register* on September 1.

Directive on Comprehensive Terrorist-Related Screening Procedures

August 27, 2004

Homeland Security Presidential Directive/
HSPD-11

Subject: Comprehensive Terrorist-Related Screening Procedures

(1) In order more effectively to detect and interdict individuals known or reasonably suspected to be or have been engaged in conduct constituting, in preparation for, in aid of, or related to terrorism (“suspected terrorists”) and terrorist activities, it is the policy of the United States to:

- (a) enhance terrorist-related screening (as defined below) through comprehensive, coordinated procedures that detect, identify, track, and interdict people, cargo, conveyances, and other entities and objects that pose a threat to homeland security, and to do so in a manner that safeguards legal rights, including freedoms, civil liberties, and information privacy guaranteed by Federal law, and builds upon existing risk assessment capabilities while facilitating the efficient movement of people, cargo, conveyances, and other potentially affected activities in commerce; and
- (b) implement a coordinated and comprehensive approach to terrorist-related screening—in immigration, law

enforcement, intelligence, counter-intelligence, and protection of the border, transportation systems, and critical infrastructure—that supports homeland security, at home and abroad.

(2) This directive builds upon HSPD-6, “Integration and Use of Screening Information to Protect Against Terrorism.” The Terrorist Screening Center (TSC), which was established and is administered by the Attorney General pursuant to HSPD-6, enables Government officials to check individuals against a consolidated Terrorist Screening Center Database. Other screening activities underway within the Terrorist Threat Integration Center (TTIC) and the Department of Homeland Security further strengthen the ability of the United States Government to protect the people, property, and territory of the United States against acts of terrorism.

(3) In this directive, the term “terrorist-related screening” means the collection, analysis, dissemination, and use of information related to people, cargo, conveyances, and other entities and objects that pose a threat to homeland security. Terrorist-related screening also includes risk assessment, inspection, and credentialing.

(4) Not later than 75 days after the date of this directive, the Secretary of Homeland Security, in coordination with the Attorney General, the Secretaries of State, Defense, Transportation, Energy, Health and Human Services, Commerce, and Agriculture, the Directors of Central Intelligence and the Office of Management and Budget, and the heads of other appropriate Federal departments and agencies, shall submit to me, through the Assistant to the President for Homeland Security, a report setting forth plans and progress in the implementation of this directive, including as further described in sections 5 and 6 of this directive.

(5) The report shall outline a strategy to enhance the effectiveness of terrorist-related screening activities, in accordance with the policy set forth in section 1 of this directive, by developing comprehensive, coordinated, systematic terrorist-related screening procedures and capabilities that also take into account the need to:

- (a) maintain no less than current levels of security created by existing screening and protective measures;
 - (b) encourage innovations that exceed established standards;
 - (c) ensure sufficient flexibility to respond rapidly to changing threats and priorities;
 - (d) permit flexibility to incorporate advancements into screening applications and technology rapidly;
 - (e) incorporate security features, including unpredictability, that resist circumvention to the greatest extent possible;
 - (f) build upon existing systems and best practices and, where appropriate, integrate, consolidate, or eliminate duplicative systems used for terrorist-related screening;
 - (g) facilitate legitimate trade and travel, both domestically and internationally;
 - (h) limit delays caused by screening procedures that adversely impact foreign relations, or economic, commercial, or scientific interests of the United States; and
 - (i) enhance information flow between various screening programs.
- (6) The report shall also include the following:
- (a) the purposes for which individuals will undergo terrorist-related screening;
 - (b) a description of the screening opportunities to which terrorist-related screening will be applied;
 - (c) the information individuals must present, including, as appropriate, the type of biometric identifier or other form of identification or identifying information to be presented, at particular screening opportunities;
 - (d) mechanisms to protect data, including during transfer of information;
 - (e) mechanisms to address data inaccuracies, including names inaccurately contained in the terrorist screening data consolidated pursuant to HSPD-6;
 - (f) the procedures and frequency for screening people, cargo, and conveyances;
 - (g) protocols to support consistent risk assessment and inspection procedures;
 - (h) the skills and training required for the screeners at screening opportunities;
 - (i) the hierarchy of consequences that should occur if a risk indicator is generated as a result of a screening opportunity;
 - (j) mechanisms for sharing information among screeners and all relevant Government agencies, including results of screening and new information acquired regarding suspected terrorists between screening opportunities;
 - (k) recommended research and development on technologies designed to enhance screening effectiveness and further protect privacy interests; and
 - (l) a plan for incorporating known traveler programs into the screening procedures, where appropriate.
- (7) Not later than 90 days after the date of this directive, the Secretary of Homeland Security, in coordination with the heads of the Federal departments and agencies listed in section 4 of this directive, shall also provide to me, through the Assistant to the President for Homeland Security and the Director of the Office of Management and Budget, a prioritized investment and implementation plan for a systematic approach to terrorist-related screening that optimizes detection and interdiction of suspected terrorists and terrorist activities. The plan shall describe the scope, governance, principles, outcomes, milestones, training objectives, metrics, costs, and schedule of activities to implement the policy set forth in section 1 of this directive. The Secretary of Homeland Security shall further provide a report on the status of the implementation of the plan to me through the Assistant to the President for Homeland Security 6 months after the date of this directive and shall thereafter report to me on such progress or any recommended changes from time to time as appropriate.
- (8) In order to ensure comprehensive and coordinated terrorist-related screening procedures, the implementation of this directive

shall be consistent with Government-wide efforts to improve information sharing. Additionally, the reports and plan required under sections 4 and 7 of this directive shall inform development of Government-wide information sharing improvements.

(9) This directive does not alter existing authorities or responsibilities of department and agency heads including to carry out operational activities or provide or receive information. This directive is intended only to improve the internal management of the executive branch of the Federal Government, and it is not intended to, and does not, create any right or benefit enforceable at law or in equity by any party against the United States, its departments, agencies, entities, officers, employees, or agents, or any other person.

George W. Bush

NOTE: An original was not available for verification of the content of this directive.

Directive on Policy for a Common Identification Standard for Federal Employees and Contractors

August 27, 2004

Homeland Security Presidential Directive/
HSPD-12

Subject: Policy for a Common Identification Standard for Federal Employees and Contractors

(1) Wide variations in the quality and security of forms of identification used to gain access to secure Federal and other facilities where there is potential for terrorist attacks need to be eliminated. Therefore, it is the policy of the United States to enhance security, increase Government efficiency, reduce identity fraud, and protect personal privacy by establishing a mandatory, Government-wide standard for secure and reliable forms of identification issued by the Federal Government to its employees and contractors (including contractor employees).

(2) To implement the policy set forth in paragraph (1), the Secretary of Commerce shall promulgate in accordance with applicable law a Federal standard for secure and reliable forms of identification (the "Standard") not later than 6 months after the date of this directive in consultation with the Secretary of State, the Secretary of Defense, the Attorney General, the Secretary of Homeland Security, the Director of the Office of Management and Budget (OMB), and the Director of the Office of Science and Technology Policy. The Secretary of Commerce shall periodically review the Standard and update the Standard as appropriate in consultation with the affected agencies.

(3) "Secure and reliable forms of identification" for purposes of this directive means identification that (a) is issued based on sound criteria for verifying an individual employee's identity; (b) is strongly resistant to identity fraud, tampering, counterfeiting, and terrorist exploitation; (c) can be rapidly authenticated electronically; and (d) is issued only by providers whose reliability has been established by an official accreditation process. The Standard will include graduated criteria, from least secure to most secure, to ensure flexibility in selecting the appropriate level of security for each application. The Standard shall not apply to identification associated with national security systems as defined by 44 U.S.C. 3542(b)(2).

(4) Not later than 4 months following promulgation of the Standard, the heads of executive departments and agencies shall have a program in place to ensure that identification issued by their departments and agencies to Federal employees and contractors meets the Standard. As promptly as possible, but in no case later than 8 months after the date of promulgation of the Standard, the heads of executive departments and agencies shall, to the maximum extent practicable, require the use of identification by Federal employees and contractors that meets the Standard in gaining physical access to Federally controlled facilities and logical access to Federally controlled information systems. Departments and agencies shall implement this directive in a manner consistent with ongoing Government-wide activities, policies and