

## 1. B4 (BUY BACK YOUR BODY BIOMETRICS) & U.S. DEPARTMENT OF DEFENSE

With three of your ITP colleagues, you found B4, a commercial biometric company that allows individuals to collect, archive, and deploy their own biometric data, thereby empowering them to have legal control over their own digital embodiment. Armed with ownership of their personal data, U.S. residents have been able to use their personal biometric kits to mount counter defenses against legal discrimination, judicial persecution, identity theft, and prejudicial targeting. After five years of successful operation, your board of directors is approached by the U.S. Department of Defense, which wishes to contract with B4, following the US DoD 2016 Directive governing biometric data collection. (Summarized below) What are the ethics of your position? What ethical precedents would you use to formulate a position to partner with the U.S. DoD?

### U.S. Department of Defense DIRECTIVE NUMBER 8521.01E (January 13, 2016)

#### 3. POLICY. It is DoD policy that:

- a. The DoD Biometrics Enterprise provide a critical end-to-end capability through a defined operations or intelligence cycle to support tactical and operational decision-making across the full range of military operations for DoD warfighting, intelligence, law enforcement, security, force protection, homeland defense, counterterrorism, business, and information environment mission areas (referred to in this directive as “DoD mission areas”).
- b. DoD biometric programs be designed to improve the effectiveness and efficiency of identity activities and to eliminate unwarranted duplication of technology development and information management efforts.
- c. Biometric collections are encouraged during all military operations and military intelligence activities where legal and appropriate.
- d. The maintenance, collection, use, and dissemination of biometric data, which includes the transmission, storage, caching, tagging, analysis, production, and use of biometric data adhere to applicable laws, policies, standards, and protocols, including but not limited to DoDD 5400.11 (Reference (e)), to support data sharing and interoperability.
- e. The DoD biometric and intelligence enterprises are to be integrated and interoperable through the use of identity intelligence capabilities, including biometric enabled intelligence (BEI), to the fullest extent possible to enable DoD and mission partners’ operations.
- f. Biometric, biographic, behavioral, and contextual data collected and maintained by DoD Components, as well as resulting BEI products, are to be considered DoD data, protected from unauthorized release, and shared in accordance with applicable data sharing and disclosure policy under appropriate authorities, arrangements, and agreements. Foreign-collected identity information that is shared with the DoD is to be withheld from public disclosure to avoid the adverse effects such a release would have on the DoD’s ability to obtain the same or similar information in the future.
- g. The DoD maintain authoritative biometric data repositories to conduct match, store, and share functions for the DoD mission areas [...]