



# Privacy Impact Assessment

for the

## ICE Noncitizen Portal

**DHS Reference No. DHS/ICE/PIA-063**

**November 20, 2023**



**Homeland  
Security**



## Abstract

The U.S. Immigration and Customs Enforcement (ICE), Office of the Chief Information Officer, (OCIO), in coordination with the Office of Enforcement and Removal Operations (ERO), is launching the ICE Noncitizen Portal, a public-facing agency website that provides noncitizens and other immigration partners with access to digital services and search tools to interact with ICE. The purpose of the ICE Noncitizen Portal is to offer individuals with information about immigration proceedings, and provide other digital services designed to streamline the process. ICE is implementing the ICE Noncitizen Portal features in a phased approach. This initial Privacy Impact Assessment (PIA) and the attached appendices discuss and evaluate the privacy risks and mitigations associated with collection, use, and maintenance of personally identifiable information (PII) accessed and displayed via the ICE Noncitizen Portal and its digital services. ICE will update the Privacy Impact Assessment appendices when new digital services become accessible through the ICE Noncitizen Portal.

## Overview

ICE is the largest investigative arm of the U.S. Department of Homeland Security (DHS) and is responsible for ensuring public safety and overseeing immigration enforcement in accordance with immigration laws and regulations for noncitizens residing in the United States. The ICE Noncitizen Portal is a public-facing website that provides noncitizens and immigration partners, such as an immigration attorney representing a noncitizen, with access to digital services, which allows individuals to navigate through and obtain accurate information about the U.S. immigration process, access resources, and interact with ICE. These digital services allow noncitizens to view or obtain their digital documents (e.g., Notice to Appear) electronically and search for their most up-to-date hearing information and other immigration resources. The digital services also allow individuals to update their personal information (e.g., address) maintained in ICE systems electronically rather than calling an ICE field office, schedule appointments at an ICE field office, and use the ICE Noncitizen Portal Check-in Application to comply with the noncitizen's conditions of release. The ICE Noncitizen Portal will simplify communications between the U.S. Government, noncitizens, and immigration partners (e.g., attorneys, other DHS components).

Individuals may access the link to the ICE Noncitizen Portal by visiting [www.ice.gov](http://www.ice.gov), create an account (if applicable), and/or choose from one of the digital services offered. Except for usernames and passwords ("login information") used to create an ICE Noncitizen Portal account, the ICE Noncitizen Portal does not collect other personally identifiable information. Information collected from the noncitizen is maintained by the external-facing application or system that is used to support the digital service accessible via the portal link. See the appendices at the end of this Privacy Impact Assessment for a list of digital services accessible via the ICE Noncitizen Portal and the purpose and use of the information collection associated with each.

An individual may obtain limited access to certain digital services accessible via the ICE



Noncitizen Portal, or may create a portal account, which requires the use of a third-party vendor identity management service to authenticate their account with ICE. Regardless of whether the individual chooses to obtain limited access or create a portal account, both require the individual to verify their identity with ICE by providing their information, which is compared against their information already maintained in ICE's Enforcement Integrated Database.<sup>1</sup> For example, individuals who choose to maintain limited access to the ICE Noncitizen Portal will have the ability to schedule an appointment at an ICE field office by providing their name, country of birth, and A-Number or Subject Identification Number. The information provided by the noncitizen to verify their identity will be based on the digital service offered and is identified in the appendices below.

To create an ICE Noncitizen Portal account, a noncitizen individual will be required to verify their identity using their full name, country of birth, and A-Number or Subject Identification Number. In addition, ICE has procured third-party vendor identity management services to authenticate the individual's account with ICE using multi-factor authentication. Once ICE has verified the noncitizen's identity, ICE sends the name and email address of the individual to the third-party vendor and the service sends out its own notification to the individual to start the registration and account authentication process. The name and email address are sent via ICE's Enforcement Integrated Database (EID). The vendor Identity as a Service system is an on-demand identity and access management service that enables enterprises to accelerate the secure adoption of their web-based applications, both in the cloud and behind the firewall.

Additionally, the individual or their attorney may view their hearing information by entering the individual's A-Number. Hearing information is maintained in the Department of Justice (DOJ) Executive Office of Immigration Review Automated Case Information System.<sup>2</sup> This information is also available at <https://acis.eoir.justice.gov/en/>. The individual enters their A-Number and the system displays the following information: court phone number, date and time of hearing, address of hearing location, and link if the hearing is virtual.

The ICE Noncitizen Portal will benefit noncitizens, others working on their behalf (e.g., attorneys, non-governmental organizations), and ICE government employees by reducing the number of manual processes and in-person interactions at ICE field offices. When fully operational, the ICE Noncitizen Portal will become the single digital interface for ICE. The appendices at the end of this Privacy Impact Assessment provide a complete overview of the operational services, list of collected data elements, and uses of the information for each digital service. All digital services are also mobile-accessible.

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<sup>1</sup> See U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, PRIVACY IMPACT ASSESSMENT FOR THE ENFORCEMENT INTEGRATED DATABASE (EID), DHS/ICE/PIA-015 (2010 and subsequent updates), available at <https://www.dhs.gov/privacy-documents-ice>.

<sup>2</sup> See U.S. DEPARTMENT OF JUSTICE, PRIVACY IMPACT ASSESSMENT FOR THE AUTOMATED CASE INFORMATION SYSTEM, available at <https://www.justice.gov/opcl/doj-privacy-impact-assessments>.



## Section 1.0 Authorities and Other Requirements

### 1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?

DHS has the authority to collect information under the Immigration and Nationality Act of 1952, as amended; 8 U.S.C. §§ 1225-1226, 1229, 1231, 1255, 1302-1306, 1357, 1360; 8 C.F.R. § 2.1; 8 C.F.R. Part 287; and DHS Delegation No. 07030.2, *Delegation of Authority to the Assistant Secretary of U.S. Immigration and Customs Enforcement* (November 13, 2004).

### 1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?

The ICE Noncitizen Portal is a website that provides access to digital services supported by external-facing ICE applications and systems. Exception for login information used to create an ICE Noncitizen Portal account, the ICE Noncitizen Portal does not collect other personally identifiable information provided by an individual when using ICE's digital services. System of Records Notice coverage for data that may be accessed through the digital services, accessed through the ICE Noncitizen Portal, is identified in the relevant appendix at the end of this Privacy Impact Assessment. For example, the DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER) System of Record Notice (SORN)<sup>3</sup> covers information collected to support the detention and removal of individuals unlawfully entering or present in the United States. DHS/ALL-004 General Information Technology Access Account Records System covers the login information collected by the ICE Noncitizen Portal.<sup>4</sup> Finally, the name and email address shared via ICE's Enforcement Integrated Database with the third-party vendor for identity management service purposes is covered by DHS/ALL-037 E-Authentication Records System of Records.<sup>5</sup>

### 1.3 Has a system security plan been completed for the information system(s) supporting the project?

The ICE Noncitizen Portal Security Plan was completed on September 1, 2023. The ICE Noncitizen Portal Authority to Operate process will be completed prior to the system's deployment, scheduled for November 2023. The Office of the Chief Information Officer will also begin the enrollment process for obtaining an Ongoing Authorization, which is scheduled to be

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<sup>3</sup> See DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records, 81 FR 72080 (October 19, 2016) and subsequent updates, available at <https://www.dhs.gov/system-records-notices-sorn>. See DHS/ALL-004 General Information Technology Access Account Records System, 77 FR 70792 (November 27, 2012), available at <https://www.dhs.gov/system-records-notices-sorn>.

<sup>4</sup> See DHS/ALL-004 General Information Technology Access Account Records System, 77 FR 70792 (November 27, 2012), available at <https://www.dhs.gov/system-records-notices-sorn>.

<sup>5</sup> See DHS/ALL-037 DHS/ALL-037 E-Authentication Records System of Records, 79 FR 46897 (August 11, 2014), available at <https://www.dhs.gov/system-records-notices-sorn>.



completed in early 2024. If the ICE Noncitizen Portal is unable to obtain and enroll in the Ongoing Authorization process, the original Authority to Operate will expire within three years.

#### **1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?**

Yes. The ICE Noncitizen Portal collects login information (i.e., usernames and passwords), which is covered under NARA General Records Schedule 3.2 Information Systems Security Records Management Schedule, DAA-GRS 2013-0002-0016. Additionally, the third-party vendor will share only the account identifier with ICE, which will be maintained in ICE's Enforcement Integrated Database for the purpose of verifying that the individual's ICE Noncitizen Portal account has been authenticated. Records maintained in ICE's Enforcement Integrated Database fall under NARA Records Control Schedule DAA-0563-2013-0006. This schedule covers the collection of information maintained in records regarding the identification, investigation, apprehension, and/or removal of noncitizens unlawfully entering or residing in the United States. Under this schedule, records are retained for 75 years from the end of the calendar year in which the data is gathered. For the ICE Noncitizen Portal, only the account identifier will be maintained under this schedule.

Finally, the applications and systems that support the digital services accessible via the ICE Noncitizen Portal also collect and maintain information, and the NARA General Records Schedule or agency-approved schedule for the ICE application or system where the information is maintained is identified below in the relevant appendix.

#### **1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.**

Information collections subject to the Paperwork Reduction Act of 1995, as amended,<sup>6</sup> are identified for the relevant application (if applicable) in the appendices below.

## **Section 2.0 Characterization of the Information**

### **2.1 Identify the information the project collects, uses, disseminates, or maintains.**

The ICE Noncitizen Portal is a public-facing website which helps individuals navigate the immigration process and interact with ICE. The ICE Noncitizen Portal collects login information for individuals who choose to set up a portal account. ICE uses vendor identity management services to authenticate the individual's account with ICE. ICE sends only the name and email

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<sup>6</sup> 44 U.S.C. § 3501 et. seq.



address of the individual to the vendor which sends a notification to the individual to start the registration and account verification process. The third-party vendor will only share the account identifier with ICE, which will be maintained in ICE's Enforcement Integrated Database for the purpose of verifying that the individual's ICE Noncitizen Portal account has been authenticated. Through the ICE Noncitizen Portal, individuals can access digital services and search tools, which may collect and maintain their information in ICE applications and systems. Each digital service collects and uses personally identifiable information for separate purposes. See the appendices at the end of this Privacy Impact Assessment for a complete overview of operational digital services and tools, lists of collected data elements, and uses of the information.

## **2.2 What are the sources of the information and how is the information collected for the project?**

ICE collects information directly from the individual. Additionally, the noncitizen, or an attorney acting on their behalf, can view the most up-to-date hearing information, which is maintained in the DOJ's Executive Office of Immigration Review Automated Case Information System. The individual enters the noncitizen's A-Number, and the system displays the most up-to-date information, which includes the court phone number, date and time of hearing, address of hearing location, and link if the hearing is virtual. This information is also available at <https://acis.eoir.justice.gov/en/>. See the appendices at the end of this Privacy Impact Assessment for a complete overview of operational digital services accessible via the ICE Noncitizen Portal.

## **2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.**

No.

## **2.4 Discuss how accuracy of the data is ensured.**

The ICE Noncitizen Portal receives information directly from the noncitizen, which helps ensure data accuracy. ICE seeks to ensure that personally identifiable information collected or maintained is accurate, relevant, timely, and complete. ICE provides real-time information to the individual. In addition, information is collected directly from the individual accessing the digital service, increasing the likelihood that the information provided is accurate. For applications or systems that ingest information from other ICE systems, the information is reviewed on a continuous basis by ICE employees/supervisors for accuracy. More importantly, ICE does not take any adverse action against an individual until it confirms the accuracy of the information.

## **2.5 Privacy Impact Analysis: Related to Characterization of the Information**

**Privacy Risk**: There is a risk that the ICE Noncitizen Portal or the digital service accessible



via the ICE Noncitizen Portal may store information that is outdated, inaccurate, irrelevant, or incomplete.

**Mitigation:** This risk is partially mitigated. The ICE Noncitizen Portal only maintains login information, which is used to create an ICE Noncitizen Portal account. This login information is also used to create audit logs, which informs ICE of the date and time the individual accessed their portal account. As noted above, the ICE Noncitizen Portal allows the noncitizen, or their attorney, to access and search for their hearing information via the DOJ's Executive Office of Immigration Review Automated Case Information System. The system displays the most up-to-date information, which includes the court phone number, date and time of hearing, address of hearing location, and link if the hearing is virtual. This information is also available at <https://acis.eoir.justice.gov/en/>.

Finally, the ICE Noncitizen Portal does not capture or retain what is entered as part of a search or the noncitizen's use of a digital service. Noncitizens who use the ICE Noncitizen Portal's digital service to schedule appointments can also update and cancel their appointments prior to the scheduled appointment and update their personal information (e.g., address). All information collected by the digital service is submitted by the individual; therefore, the noncitizen reviews the accuracy and integrity of the information prior to submission. For example, the digital service provides the individual with an opportunity to enter biographic information and update their personal information, review its accuracy, and amend it prior to submission.

## Section 3.0 Uses of the Information

### 3.1 Describe how and why the project uses the information.

As described above, the ICE Noncitizen Portal is a public-facing website that provides individuals with access to digital immigration services. Except for login information used to create an account, no other personally identifiable information is collected or used within the ICE Noncitizen Portal.

In addition, ICE provides user information to a third-party identity management services vendor to authenticate an individual's identity to access the ICE Noncitizen Portal. As noted above, ICE sends the name and email address of the individual to the third-party vendor and the service sends out its own notification to the individual to start the registration and account verification process with the third-party vendor. The third-party vendor will only share the account identifier with ICE, which will be maintained in ICE's Enforcement Integrated Database for the purpose of verifying that the individual's ICE Noncitizen Portal account has been authenticated.



**3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.**

No.

**3.3 Are there other components with assigned roles and responsibilities within the system?**

No. Only ICE personnel have direct access to the ICE Noncitizen Portal system. For more information regarding access to the applications or systems that support the digital services and tools accessible via the portal, see the appendices at the end of this Privacy Impact Assessment.

**3.4 Privacy Impact Analysis: Related to the Uses of Information**

**Privacy Risk:** There is a risk that the ICE Noncitizen Portal will collect and use information in a manner inconsistent with ICE's authority and mission.

**Mitigation:** This risk is partially mitigated. Noncitizens who choose to maintain limited access to the Portal will have access to a more limited set of digital services, such as the ability to update their address information and schedule an appointment at an ICE field office. For example, personal information is required to proceed through the ICE identity verification process each time an individual chooses to access a digital service via the Portal.

Further, user roles and access controls for DHS personnel are incorporated and limit user capabilities so that only users with a need to know can access specific internal portions of ICE applications and systems. Users without a need to know are restricted from accessing certain information, which is based on the individual's job responsibilities. ICE created the ICE Noncitizen Portal to help fulfill these goals. ICE mitigates the risk of collecting and using information in a manner inconsistent with ICE's authority and mission by minimizing the amount of information collected and by limiting the purposes for which ICE may use the information.

Finally, information collected or provided by individuals and maintained in the applications or systems that support the digital service accessible via the Noncitizen Portal is collected, used, and maintained in accordance with the System of Records Notice identified in the relevant appendix below.

**Privacy Risk:** There is a risk of over-disclosure of information to the third-party vendor, and a risk that the information shared with the vendor will be used for purposes beyond those for which the information was shared.

**Mitigation:** This risk is partially mitigated. As noted above, ICE procured third-party vendor identity management services to authenticate an individual's ICE Noncitizen Portal account using





multi-factor authentication. ICE only shares with the vendor an individual's name and email address, which is sent via ICE's Enforcement Integrated Database. This allows the vendor to independently contact the individual and start the registration and account verification process. The vendor is prohibited from further sharing or using an individual's information. Further, the vendor's system permanently deletes an individual's account information automatically after 30 days of the account being selected for deletion. An account will be selected for deletion based upon the number of days the individual's account remains inactive, which results in the individual's account being disabled and thus, termination of account access. The number of days before an account can be considered inactive will be determined by ICE and will be based on business operations and to ensure that the individual's access is not terminated prematurely preventing access to their information and their ICE Noncitizen Portal account.

## Section 4.0 Notice

### **4.1 How does the project provide individuals notice prior to the collection of information? If notice is not provided, explain why not.**

ICE provides general notice to individuals through the publication of this Privacy Impact Assessment and associated System of Records Notices identified above and for each digital service in the relevant appendix below. Additionally, the ICE Noncitizen Portal provides a Privacy Act Statement prior to the submission of any information by an individual and collection and maintenance via the ICE Noncitizen Portal and/or through one of the digital services accessible via the ICE Noncitizen Portal. The Privacy Act Statement notifies the individual about the authority to collect the information requested, purposes for the data collection, routine uses of the data, and consequences of providing or declining to provide the information to ICE.<sup>7</sup> The Privacy Act Statement or Notice will be made available in Frequently Encountered Languages per Executive Order 13166 to ensure timely and effective communication for limited English proficient persons.<sup>8</sup> Finally, the ICE Noncitizen Portal will include ICE's Privacy Policy as required under the E-Government Act 2002.

### **4.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project?**

The Privacy Act Statement informs individuals that providing information is voluntary. A noncitizen can choose to decline to provide information; however, doing so may prevent them from accessing and using the ICE Noncitizen Portal's digital services. By using the digital service, the individual is granting consent for ICE to use their information as described in the Privacy Act Statement. ICE does not require individuals to use the ICE Noncitizen Portal; the digital services provided through the portal remain available through traditional means outside of the portal.

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<sup>7</sup> Please see Appendix A for a sample Privacy Act Statement.

<sup>8</sup> Executive Order 13166, "Improving Access to Service for Persons with Limited English Proficiency" (August 11, 2000).



### **4.3 Privacy Impact Analysis: Related to Notice**

**Privacy Risk:** There is a risk that individuals may not be aware that their information may be maintained in the system and/or that individuals may not understand the notice provided.

**Mitigation:** This risk is partially mitigated. ICE provides general notice to individuals through the publication of this Privacy Impact Assessment and System of Records Notices identified above and, in the appendices below. Additionally, the ICE Noncitizen Portal provides a Privacy Act Statement prior to the submission of any information by the individual.

Finally, initial deployment of the ICE Noncitizen Portal will include several language translations, including English, Spanish, Portuguese, Haitian Creole, and French. The individual can select their preferred language to navigate through the ICE Noncitizen Portal and to use the digital services accessible via the portal.

## **Section 5.0 Data Retention by the Project**

### **5.1 Explain how long and for what reason the information is retained.**

The ICE Noncitizen Portal maintains login information for the purpose of creating portal accounts. This login information is also used to create audit logs, which informs ICE of the date and time the individual accessed their portal account. Login information is retained for 18 months. The applications and systems that support the digital services accessible via the ICE Noncitizen Portal are stand-alone applications that also collect and maintain information based on the purpose and use for the collection specific to those applications. See the appendices at the end of this Privacy Impact Assessment for the applicable NARA schedule or agency-approved records schedule for each application or system that supports the relevant digital service.

### **5.2 Privacy Impact Analysis: Related to Retention**

**Privacy Risk:** There is a risk that ICE retains information for longer than is required for the purposes for which the information was collected.

**Mitigation:** This risk is partially mitigated. As noted above, the ICE Noncitizen Portal collects login information (i.e., usernames and passwords) of individuals who choose to create an ICE Noncitizen Portal account. This information is covered under NARA General Records Schedule 3.2 Information Systems Security Records Management Schedule, DAA-GRS 2013-0002-0016. The ICE Office of the Chief Information Officer maintains audit logs of login information for 18 months.

The applications and systems that support the digital services accessible via the ICE Noncitizen Portal also collect and maintain information, and the NARA or agency-approved records schedule for the ICE application or system where the information is maintained is identified below in the relevant appendix.



In the case of a data repository, such as where a noncitizen uses a digital service to update their personal information maintained in a source system (e.g., ICE’s Enforcement Integrated Database),<sup>9</sup> the information is maintained in accordance with the source system’s records schedule. This ensures that data is not retained longer than necessary or in a way that is inconsistent with the original purpose of collection. Finally, ICE programs have implemented policies, technical measures, and other procedures to ensure that the information in the system is destroyed or disposed of in accordance with the applicable records schedule.<sup>10</sup>

## Section 6.0 Information Sharing

### **6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.**

The ICE Noncitizen Portal does not share login information with external parties. However, ICE shares, via ICE’s Enforcement Integrated Database, a limited amount of information with a third-party vendor that provides identity management services. This information includes the individual’s name and email address for the purpose of allowing the vendor to independently interact with the individual during the registration and account authentication process. The vendor only shares the individual’s account identifier with ICE, which will be maintained in ICE’s Enforcement Integrated Database for the purpose of verifying that the individual’s ICE Noncitizen Portal account has been authenticated. The ICE Noncitizen Portal does not have access to or share information collected by the applications and systems used to support the digital services. Information collected and maintained by the applications and systems used to support the digital service is shared in accordance with the System of Records Notice identified below in the appendices of this Privacy Impact Assessment.

### **6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2.**

The ICE Noncitizen Portal does not share login information with external parties. However, ICE uses third-party vendor identity management services to authenticate the individual’s account with ICE. ICE sends only the name and email address of the individual to the third-party vendor, and the service sends out its own notification to the individual to start the registration and account verification process. This information is shared via ICE’s Enforcement Integrated Database. In addition, the third-party vendor shares the individual’s account identifier, which is maintained in

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<sup>9</sup> See U.S. DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT, PRIVACY IMPACT ASSESSMENT FOR THE ENFORCEMENT INTEGRATED DATABASE (EID), DHS/ICE/PIA-015 (2010 and subsequent updates), *available at* <https://www.dhs.gov/privacy-documents-ice>.

<sup>10</sup> In accordance with ICE Directive 4007.1, “Records and Information Management” (January 25, 2021), on file with the ICE Office of Information Governance and Privacy - Privacy Unit.



ICE systems to confirm account authentication.

Although the ICE Noncitizen Portal does not share login information with external parties, information shared with a digital service accessed through the portal may be shared in accordance with the System of Records Notice for that service, as noted in the appendix.

### **6.3 Does the project place limitations on re-dissemination?**

Yes. As noted above, the ICE Noncitizen Portal is a public-facing website and does not share login information with external parties. Upon creation of an ICE Noncitizen Portal account, ICE will share a limited amount of information with a third-party vendor that provides identity management services. This information is shared via ICE's Enforcement Integrated Database and includes the individual's name and email address for the purpose of registering and authenticating their ICE Noncitizen Portal account. This information is not re-disseminated by the vendor.

### **6.4 Describe how the project maintains a record of any disclosures outside of the Department.**

The information shared with the third-party vendor via ICE's Enforcement Integrated Database is maintained in audit logs. Additionally, after the individual registers and authenticates their account with the third-party vendor, the vendor will share an account identifier with ICE. This account identifier will be maintained in ICE's Enforcement Integrated Database to link the individual to their ICE Noncitizen Portal account.

### **6.5 Privacy Impact Analysis: Related to Information Sharing**

**Privacy Risk:** There is a risk that the ICE Noncitizen Portal lacks the appropriate privacy safeguards required to prevent the inadvertent disclosure of information and ensure compliance with legal requirements related to individuals in protected classes.

**Mitigation:** This risk is partially mitigated. In coordination with the Office of Information Governance and Privacy - Privacy Unit, the Office of the Chief Information Officer, and the Office of Enforcement and Removal Operations, ICE will ensure that appropriate privacy and security safeguards are implemented in compliance with statutory and DHS privacy policy requirements. These privacy safeguards may be implemented at the system or application level and/or at the ICE Noncitizen Portal level as required. This includes testing protocols, which shall include requirements (e.g., use case) to test functionality of these safeguards before deployment and continuously, such as after application or system updates/modifications or releases. Therefore, ICE has implemented privacy safeguards to prevent the unauthorized disclosure of highly sensitive information to ensure compliance with 8 U.S.C. § 1367 (Section 1367) and 8 CFR § 208.6 (Section 208.6).

While the ICE Noncitizen Portal does not collect and share information outside the digital services provided via the Portal, it allows an individual, or their attorney, to access and display their hearing information maintained in the DOJ's Executive Office of Immigration Review



Automated Case Information System by entering their A-Number. The ICE Noncitizen Portal will not display any hearing information or other sensitive information belonging to an individual who falls within certain protected classes. Specifically, a noncitizen who has applied for, or was granted protection under the Violence Against Women Act (VAWA) or a T or U nonimmigrant visa, as a matter of law and policy, will have their information blocked from display in the ICE Noncitizen Portal.<sup>11</sup> Upon entering their A-Number, the ICE Noncitizen Portal will leverage ICE's Enforcement Integrated Database to determine whether the individual has been identified as a protected person and the covered individual will receive the following message: "Information regarding this A-Number is unavailable," which will be displayed in the language selected by the individual.

## Section 7.0 Redress

### 7.1 What are the procedures that allow individuals to access their information?

U.S. citizens and Lawful Permanent Residents have the right to access their records under the Privacy Act. The Judicial Redress Act (5 U.S.C. §552a note) extends certain rights under the Privacy Act to citizens of certain covered countries with access and amendment rights under the Privacy Act in certain limited situations, as well as the right to sue for civil damages for willful and intentional disclosures of covered records made in violation of the Privacy Act.<sup>12</sup> Individuals covered under the Privacy Act or Judicial Redress Act, seeking to access their records contained in the appropriate system of records, or seeking to contest its content, may submit a request in writing to the ICE Office of Information Governance and Privacy, Privacy Unit:

U.S. Immigration and Customs Enforcement  
Office of Information Governance & Privacy  
Attn: Privacy Unit  
500 12th Street SW, Stop 5004  
Washington, D.C. 20536-5004  
(202) 732-3300  
<http://www.ice.gov/management-administration/privacy>

Individuals not covered by the Privacy Act or Judicial Redress Act may access their records under the Freedom of Information Act. Individuals seeking notification of and access to any of the records covered by this Privacy Impact Assessment and its appendices may submit a request

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<sup>11</sup> See Department of Homeland Security (DHS) Directive 002-02, Revision Number 00.1 "Implementation of Section 1367 Information Provisions," November 1, 2013, revision incorporated April 29, 2019; and DHS Instruction 002-02-001, Revision Number 00.1, "Implementation of Section 1367. Information Provisions," November 7, 2013, revision incorporated May 28, 2019.

<sup>12</sup> The foreign countries and regional organizations covered by the Judicial Redress Act, as of February 1, 2017, include the European Union (EU) and most of its Member States, as well as the United Kingdom. For the full list of countries and regional organizations covered by the Judicial Redress Act, please visit the U.S. Department of Justice website <https://www.justice.gov/opcl/judicial-redress-act-2015>.



electronically at <https://www.ice.gov/webform/foia-request-form> or in writing to the ICE Freedom of Information Act officer at the below address:

U.S. Immigration and Customs Enforcement  
Office of Information Governance & Privacy  
Freedom of Information Act Division  
500 12th Street SW, Stop 5009  
Washington, D.C. 20536-5009  
(202) 732-0660  
<http://www.ice.gov/foia/>

All or some of the requested information may be exempt from access pursuant to the Privacy Act and/or Freedom of Information Act to prevent harm to law enforcement investigations or interests.

## **7.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?**

Individuals covered by the Privacy Act and Judicial Redress Act may request correction and amendment of records about them by following the procedures outlined above. Additionally, DHS Privacy Policy requires that DHS provides access to maintain accurate, relevant, timely, and complete records. Collecting, maintaining, using, and disseminating accurate information helps DHS efficiently meet operational goals, prevent waste, and improve outcomes. Failure to maintain accurate records may undermine efficient decision making by DHS personnel and creates risk of errors by DHS and DHS personnel.

To ensure the records ICE maintains are accurate, ICE may permit access and amendment, regardless of citizenship or immigration status, on a case-by-case basis, consistent with law and policy.<sup>13</sup> The Privacy Unit in the ICE Office of Information Governance & Privacy accepts record amendment requests from individuals not covered by the Privacy Act of 1974.

## **7.3 How does the project notify individuals about the procedures for correcting their information?**

ICE notifies individuals of the procedures for correcting their information provided through the ICE Noncitizen Portal through this Privacy Impact Assessment and the applicable Privacy Impact Assessments and System of Records Notices listed in the appendices.

## **7.4 Privacy Impact Analysis: Related to Redress**

**Privacy Risk:** There is a risk that individuals will have limited opportunity to access and correct their data in the system, or may not know that they may access/correct their information.

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<sup>13</sup> DHS Policy Directive 140-03, Privacy Policy Guidance Memorandum No. 2008-01, *The Fair Information Practice Principles: Framework for Privacy at the Department of Homeland Security* (December 29, 2008).



**Mitigation:** This risk is mitigated. As noted above, any individual seeking access to or amendment of their records may submit a request in writing. Any information collected and maintained by the applications used to support the Portal's digital services is provided directly by the individual or their representative and thus there is less likelihood that the individual will need to correct erroneous information. If individuals seek to correct or contest their records, they may follow the procedures outlined above in Section 7.1. In the redress request, individuals must state clearly and concisely the information being contested, the reason for contesting it, and the proposed amendment to the information.

## **Section 8.0 Auditing and Accountability**

### **8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?**

ICE ensures that the practices stated in this Privacy Impact Assessment are followed by implementing and requiring training, policies, rules of behavior, and auditing and accountability for all ICE users.

### **8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.**

All DHS federal employees and contractors are required to complete annual privacy and security awareness training. The DHS annual privacy training addresses privacy issues, including Privacy Act obligations (e.g., System of Records Notice, Privacy Act Statements). The Computer Security Awareness training examines technical, physical, personnel, and administrative controls to safeguard information.

### **8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?**

The ICE Noncitizen Portal is a public-facing website that provides individuals with access to digital services and tools identified and described in the appendices below. Internal access to the ICE Noncitizen Portal is restricted by ICE management and limited to approved DHS personnel and contractor staff with a need to know. User roles and access controls limit user capabilities so that only users with a need to know can access specific internal portions of ICE applications and systems. Users without a need to know are restricted from accessing certain information, which is based on the individual's job responsibilities.



## **8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?**

The ICE Noncitizen Portal collects only login information, which is not shared with external entities or with other DHS components, beyond the third-party identity management services vendor to authenticate the individual's account with ICE. ICE Privacy will coordinate with ICE stakeholders and update this Privacy Impact Assessment for any new digital services and tools made accessible via the ICE Noncitizen Portal before their deployment.

### **Responsible Official**

Nicole Keenan  
Acting Privacy Officer  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security  
(703) 603-3400

### **Approval Signature**

Original, signed version on file with the DHS Privacy Office.

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Mason C. Clutter  
Chief Privacy Officer  
U.S. Department of Homeland Security  
(202) 343-1717





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## Appendix A

### Sample Privacy Act Statement

**Authority:** DHS has the authority to collect information under the Immigration and Nationality Act of 1952, as amended; 8 U.S.C. §§ 1225-1226, 1229, 1231, 1255, 1302-1306, 1357, 1360; 8 C.F.R. § 2.1, 8 C.F.R. Part 287; and DHS Delegation No. 07030.2, *Delegation of Authority to the Assistant Secretary of U.S. Immigration and Customs Enforcement (November 13, 2004)*.

**Purpose:** The username and password information is collected for the purpose of creating an ICE Noncitizen Portal account. Additionally, the name and email address information collected and maintained in ICE systems is used for the purpose of performing account authentication with a third-party identity management service vendor. Additionally, the information collected from the individual when using the digital services accessible via the ICE Noncitizen Portal is used to allow the individual to access, view, and update their personal information and interact with ICE.

**Routine Uses:** The information ICE collects from you through your use of the ICE Noncitizen Portal or one of the digital services accessible via the portal will be used by and disclosed to ICE and other DHS personnel and contractors for the above-mentioned purpose(s). Additionally, ICE and other DHS personnel may share the information we collect from you with facility operators, law enforcement, or other government agencies consistent with law and policy, or pursuant to its published Privacy Act System of Records Notice.

**Disclosure:** The use of the ICE Noncitizen Portal and digital services made accessible via the portal is voluntary. However, failure to furnish the requested information may prevent you from establishing an ICE Noncitizen Portal account and/or the use of digital services accessible via the portal. If you elect not to use the ICE Noncitizen Portal, the same services remain available to you through traditional means.



## Appendix B

### Field Office Appointment Scheduler (FOAS)

#### Purpose and Use for Collection:

The ICE Office of Enforcement and Removal Operations (ERO) manages the nation's civil immigration detention system. Enforcement and Removal Operations processes and monitors cases for noncitizens who are detained and not detained as they move through immigration court proceedings to conclusion. Noncitizens who are apprehended and determined to need custodial supervision are placed in detention facilities. Noncitizens whose lawful presence in the United States cannot be established and who are not sent to ICE detention facilities are placed on the non-detained docket.<sup>14</sup> Every case, whether detained or non-detained, remains part of Enforcement and Removal Operations' caseload and is actively managed until it is formally closed.

All noncitizens are required to comply with immigration laws, regulations, and conditions of release. This includes visiting an ICE field office to ensure compliance with any check-in requirements upon arrival to the United States. When U.S. Customs and Border Protection (CBP) releases a noncitizen at the border, CBP issues Form I-385, "*Alien Booking Record*," with instructions for the individual to report to an ICE Enforcement and Removal Operations facility for additional processing.<sup>15</sup> As a result, ICE has created the Field Office Appointment Scheduler application.

The Field Office Appointment Scheduler is an online appointment scheduler and management application and tool used to create an appointment with an Enforcement and Removal Operations Field Office. The purpose of the Field Office Appointment Scheduler tool is to streamline appointment scheduling for non-citizens to appear at Enforcement and Removal Operations field offices for additional processing without needing to call or appear in person to schedule an appointment. Additionally, the Field Office Appointment Scheduler provides Enforcement and Removal Operations with a tool to manage cases of individuals who are required to appear before an ICE officer to process their immigration case. The capability will reduce the risk of large numbers of individuals calling into or arriving in person at ICE field offices, negatively impacting the efficient processing of cases.

The Field Office Appointment Scheduler guides online customers through several steps, including locating a field office, selecting an appointment date, entering required personal information, and confirming the appointment. The application has two components: 1) an internal

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<sup>14</sup> The DOJ Executive Office for Immigration Review "detained docket" is a court docket that consists of cases involving noncitizens in ICE custody at detention facilities, service processing centers, or incarcerated noncitizen inmates in the custody of departments of corrections. The "non-detained docket" is a court docket that consists of cases involving noncitizens not being held in an ICE detention facility.

<sup>15</sup> The Notice to Appear lists the charges that DHS is bringing against the respondent, specifying the removability grounds and factual allegations to establish removability.



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application that is available to ICE and CBP<sup>16</sup> personnel only and 2) an external public-facing website that is accessed by individuals to schedule appointments. Using the public-facing website,<sup>17</sup> individuals may search for and select a local Enforcement and Removal Operations field office to view available appointment days and times (as defined by the appointment manager) on which they will report to the selected office.<sup>18</sup>

To make an appointment, the individual or ICE Enforcement and Removal Operations/CBP personnel must enter the person's name, country of birth, and the Subject Identification Number from Form I-385 into the Field Office Appointment Scheduler. This information will enable the local field office personnel receiving the appointment request to validate the individual's identity and match the individual with their associated information maintained in the ICE Enforcement Integrated Database ENFORCE Alien Removal Module (EARM) application<sup>19</sup> prior to the visit. The information in ICE systems will also provide the officer with information about the individual and information about the individual's family unit members (i.e., case-related information) who may also participate in the field office visit.

Once all required information has been entered, reviewed for accuracy, and submitted, the noncitizen will receive a confirmation number and appointment details. Individuals will have the option to receive an email, text message, or print the confirmation details for future reference. Individuals have the option to provide their email address and/or telephone number for text messages to receive appointment reminders. The Field Office Appointment Scheduler tool will store the noncitizen's name, country of birth, Subject Identification Number, and any optional contact information (i.e., email address and telephone number), if provided. The contact information will not be used for any other purpose. This appendix will be updated if the contact information is expected to be used for any other purpose in the future.

## **Information Collected, Retained, and Disseminated:**

The information required to schedule an appointment and collected by the Field Office Appointment Scheduler tool includes:

- Name;
- A-Number or Subject Identification Number; and
- Country of birth.

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<sup>16</sup> CBP may also access the ICE Field Office Appointment Scheduler to facilitate the scheduling of noncitizen individuals and family units acting on their behalf. CBP and ICE Enforcement and Removal Operations personnel access the internal Field Office Appointment Scheduler using Single Sign-On for CBP/ICE.

<sup>17</sup> Available at <https://checkin.ice.gov>.

<sup>18</sup> The Field Office Appointment Scheduler Appointment Manager will allow each Enforcement and Removal Operations Area of Responsibility to pre-select available timeslots for appointments.

<sup>19</sup> See U.S. DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT, PRIVACY IMPACT ASSESSMENT FOR THE ENFORCEMENT INTEGRATED DATABASE (EID), DHS/ICE/PIA-015 (2010 and subsequent updates), available at <https://www.dhs.gov/privacy-documents-ice>.



If the noncitizen wants an appointment confirmation and/or reminder, they will provide their email and/or telephone number.

**Source of Information:**

The Field Office Appointment Scheduler collects information directly from the individual. The information provided above will also be used to validate the individual's identity before scheduling an appointment and be compared against their information maintained in the ICE Enforcement Integrated Database. Information used to verify the individual's identity is limited to name, Subject Identification Number, and country of birth (as required fields).

**Category of Individuals Affected:**

Noncitizens who need to create an appointment with an ICE Enforcement and Removal Operations Field Office.

**System of Records Notice(s):**

- DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER) System of Record Notice, which covers information collected to support the detention and removal of individuals unlawfully entering or present in the United States.

**Records Retention Schedule:**

Information maintained in the Field Office Appointment Scheduler is covered by National Archives and Records Administration Records Control Schedule DAA-0563-2013-0006.20. This schedule covers records regarding the identification, investigation, apprehension, and/or removal of noncitizens unlawfully entering or residing in the United States. Under this schedule, records are retained for 75 years from the end of the calendar year in which the data is gathered. This ensures that the records are kept for at least the lifetime of the individuals to whom they pertain because they document the arrest, detention, and possible removal of individuals from the United States.

**Privacy Analysis:**

**Privacy Risk:** There is a risk that the system or program lacks the appropriate security controls and privacy authentication safeguards to validate an individual's identity.

**Mitigation:** This risk is partially mitigated. As noted above, to access the Field Office Appointment Scheduler, the individual must provide their name, country of birth, and A-Number or Subject Identification Number. This information is verified against ICE's Enforcement Integrated Database. After the individual's identity is verified, they may schedule, change, or cancel an appointment with an ICE Enforcement and Removal Operations field office.

**Privacy Risk:** There is a risk that if an appointment is created using a public computer, upon completion of creating an appointment, if the individual leaves the public computer without correctly closing the screen, personally identifiable information may be exposed and vulnerable.

**Mitigation:** This risk is partially mitigated. The ICE Noncitizen Portal screen will time out after



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less than one minute of inactivity and will ask the online customer if they would like to extend their use of the appointment scheduling system. After a minute of inactivity, the program reverts to the landing page and all data collected is cleared from the screen.

## Appendix C

### Online Change of Address (OCA)

#### Purpose and Use for Collection:

The ICE Office of Enforcement and Removal Operations manages the nation's civil immigration detention system. Noncitizens who are apprehended and determined to need custodial supervision are placed in detention facilities. Noncitizens whose lawful presence in the United States cannot be established and who are not sent to ICE detention facilities are placed on the non-detained docket. Every case, whether detained or non-detained, remains part of Enforcement and Removal Operations' caseload and is actively managed until it is formally closed. Enforcement and Removal Operations processes and monitors detained and non-detained cases as noncitizens move through immigration court proceedings to conclusion. All noncitizens are required to comply with immigration laws, regulations, and conditions of release. This includes ensuring that their address information is kept up to date with ICE. The Office of Enforcement and Removal Operations Deployment and Transformation Unit deployed the Online Change of Address application as a stand-alone public facing application that allows noncitizens to update their residential address and to opt-in to receive their Notice to Appear by mail at their current address. The deployment of this website is part of the ICE's ongoing efforts to modernize data systems and improve mission execution.

The Online Change of Address application will be accessible via the ICE Noncitizen Portal using a standard web-browser. No user accounts are created to access the Online Change of Address website. To update their address, the individual will complete the request form, which includes their name, country of birth, and either their Form I-385 Subject Identification Number or A-Number. Enforcement and Removal Operations uses this information for identity verification. Users must complete this identity validation process each time they access the Online Change of Address website. The individual can also choose to receive a confirmation email or text message when their address has been successfully updated. To receive the confirmation notification, the user must provide their email address and/or phone number. Additionally, the individual can opt in to allow ICE to store their provided email address or phone number for use in the future to receive other updates about their case.

When a change of address request is submitted, the new address is automatically updated in ICE's Enforcement Integrated Database and subsequent applications.<sup>20</sup> The Online Change of Address application has a direct system connection to the Enforcement Integrated Database Service that then updates the data in Enforcement Integrated Database. Further, through an integration with the Integrated Custody Assistance Resolution System, a case file ticket number is generated for the address update request. The ticket number is then automatically emailed to an Enforcement and

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<sup>20</sup> See U.S. DEPARTMENT OF HOMELAND SECURITY, IMMIGRATION AND CUSTOMS ENFORCEMENT, PRIVACY IMPACT ASSESSMENT FOR THE ENFORCEMENT INTEGRATED DATABASE (EID), DHS/ICE/PIA-015 (2010 and subsequent updates), available at <https://www.dhs.gov/privacy-documents-ice>.

Removal Operations Field Office to notify them of the change.

**Information Collected, Retained, and Disseminated:**

The following information is obtained directly from the individual to submit an address change request:

- Name;
- Address;
- A-Number;
- Subject Identification Number;
- Country of birth;
- Email address (optional);
- Phone number (optional); and
- Place of birth.

**Sources of Information:**

Online Change of Address information is collected directly from the individual. The information provided for the purpose of verifying the individual's identity is also compared against existing noncitizen information in the Enforcement Integrated Database and subsequent applications.

**Category of Individuals Impacted:**

Noncitizens who need to update their address with ICE.

**System of Records Notice(s):**

- DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER) System of Record Notice, which covers information collected to support the detention and removal of individuals unlawfully entering or present in the United States.<sup>21</sup>

**Records Retention Schedule:**

Online Change of Address information ingested and maintained in ICE's Enforcement Integrated Database falls under National Archives and Records Administration Records Control Schedule DAA-0563-2013-0006.20. This schedule maintains records regarding the identification, investigation, apprehension, and/or removal of noncitizens unlawfully entering or residing in the United States. Under this schedule, records are retained for 75 years from the end of the calendar year in which the data is gathered. This ensures that the records are kept for at least the lifetime of

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<sup>21</sup> See DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records, 81 FR 72080 (October 19, 2016) and subsequent updates, available at <https://www.dhs.gov/system-records-notice-sorns>.

the individuals to whom they pertain because they document the arrest, detention, and possible removal of individuals from the United States.

**Privacy Analysis:**

**Privacy Risk:** There is a risk that the system or program lacks the appropriate security controls and privacy authentication safeguards to validate an individual's identity.

**Mitigation:** This risk is partially mitigated. To access the Online Change of Address application, the individual must provide their name, country of birth, and A-Number or Form I-385 Subject Identification Number. This information is verified against ICE's Enforcement Integrated Database. Once the individual's identity is verified, they may update their address information, which is ingested and maintained in ICE's Enforcement Integrated Database.

**Privacy Risk:** There is a risk that the application lacks the appropriate Section 1367 privacy safeguards required to prevent the inadvertent disclosure of sensitive information and ensure compliance with legal requirements.

**Mitigation:** This risk is partially mitigated. As discussed above, the Office of the Chief Information Officer and Enforcement and Removal Operations personnel will ensure that Section 1367 privacy safeguards are implemented to ensure compliance with statutory and DHS policy requirements. These privacy safeguards may be implemented at the system or application level and/or ICE Noncitizen Portal level. Safeguards include, but are not limited to, testing protocols, which shall include requirements (e.g., use case) to test functionality of these safeguards before deployment and continuously, such as after application or system updates/modifications or releases.